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6	ROY DENNER - RECREATION
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7	ILENE ANDERSON - RENEWABLE RESOURCES (CHAIR)
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15	TIM READ - FIELD OFFICE MANAGER, BARSTOW
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16	PALM SPRINGS-SOUTH COAST
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17	MOLLY BRADY - FIELD OFFICE MANAGER, NEEDLES
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1 CALIFORNIA DESERT DISTRICT ADVISORY COUNCIL  
2 MEETING  
3 SATURDAY, DECEMBER 8, 2001  
4 EL CENTRO, CALIFORNIA.  
5 8:00 O'CLOCK A.M.  
6 \* \* \* \* \*  
7 ILENE ANDERSON: OKAY, I WOULD LIKE  
8 TO OPEN THIS DECEMBER 8TH MEETING FOR THE  
9 CALIFORNIA DESERT ADVISORY COUNCIL. AND START  
10 OFF WITH A FEW THANK YOU'S.  
11 THANK YOU ALL FOR GIVING UP YOUR  
12 SATURDAY TO COME TO OUR MEETING.  
13 AND ALSO I WANTED TO THANK THE EL  
14 CENTRO BLM OFFICE FOR HOSTING THIS TODAY.  
15 I WANTED TO THANK GREG AND ALL OF  
16 HIS STAFF FOR A GREAT FIELD TRIP YESTERDAY.  
17 I WOULD ALSO LIKE TO THANK RANDY AND  
18 WALLY FOR ALL OF YOUR HELP IN MAKING THIS  
19 MEETING COME TOGETHER.  
20 AND I WOULD ALSO LIKE TO THANK ROY  
21 AND THE AMERICAN SAND ASSOCIATION FOR GIVING  
22 US THE OPPORTUNITY TO DO SOME BUGGY RIDING OUT  
23 ON THE DUNES YESTERDAY. I THINK IT WAS A  
24 REALLY INTERESTING EXPERIENCE AND I THINK ALL  
25 THE COUNCIL MEMBERS ENJOYED THEIR FIELD TRIP

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1 YESTERDAY.

2 I GUESS WHAT I WOULD LIKE TO DO NEXT  
3 IS HAVE US ALL DO THE PLEDGE OF ALLEGIANCE AND  
4 THEN WE WILL COME BACK AND DO THE AGENDA.

5 SO PLEASE RISE WITH ME.

6 (THE PLEDGE OF ALLEGIANCE.)

7 ILENE ANDERSON: OKAY. YOU ALL  
8 HOPEFULLY PICKED UP A COPY OF THE AGENDA OUT  
9 IN THE LOBBY.

10 AND CONSIDERING SOME OF MY  
11 DISCUSSION WITH YOUR MEMBERS OF THE PUBLIC AND  
12 SOME OF OUR DISCUSSIONS LAST NIGHT, I GOT SOME  
13 E-MAILS SUGGESTING THAT WE MOVE AN AGENDA ITEM  
14 HAVING TO DO WITH THE IMPERIAL SAND DUNES  
15 RECREATION AREA RESOURCE MANAGEMENT PLAN UP IN  
16 THE AGENDA. BECAUSE RIGHT NOW WERE SCHEDULED  
17 AT 4:00 O'CLOCK.

18 WE DISCUSSED THIS LAST NIGHT AT  
19 COUNCIL AND THOUGHT -- WE WERE CONCERNED ABOUT  
20 PEOPLE WHO HAD A COPY OF THE AGENDA COMING IN  
21 AT 4:00 O'CLOCK AND EXPECTING TO HEAR TALK ON  
22 THE DUNES, AND IF WE MOVED IT FORWARD IN THE  
23 AGENDA THEY WOULDN'T HAVE AN OPPORTUNITY TO  
24 HEAR THE B.L.M. PRESENTATION AND TO RESPOND  
25 WITH PUBLIC COMMENT.

1                   HOWEVER, THIS MORNING I SEE THAT  
2           THERE IS A LOT OF YOU OUT THERE AND THAT YOU  
3           WERE UNDER THE IMPRESSION THAT IT WAS AT 8:00  
4           O'CLOCK IN THE MORNING THAT WE WOULD BE  
5           REVIEWING THIS.

6                   SO I WOULD LIKE TO ONCE AGAIN TALK  
7           TO THE COUNCIL AND SEE IF -- THESE PEOPLE CAME  
8           LONG DISTANCES TO ADDRESS THIS SPECIFIC ISSUE.  
9           AND, YOU KNOW, I WOULD STILL LIKE TO ENTERTAIN  
10          MOVING IT FORWARD, WITH THE OPPORTUNITY FOR  
11          PEOPLE THAT ARRIVE AT 4:00 O'CLOCK TO GIVE  
12          COUNCIL COMMENT AT THAT TIME.

13                   IS THAT THE PLEASURE OF THE COUNCIL?  
14                   (AUDIENCE APPLAUSE.)

15                   WALLY LEIMGRUBER:  MADAM CHAIR, IF  
16          WE DID THAT IN THE FORM OF A MOTION, I WOULD  
17          SO MAKE THE MOTION THAT WE MOVE THE 4:00  
18          O'CLOCK ITEM UP TO THE 8:15 ITEM.

19                   BILL BETTERLY:  I WILL SECOND THE  
20          MOTION.

21                   ILENE ANDERSON:  ALL THOSE IN -- OH,  
22          DISCUSSION.

23                   OKAY.  ALL THOSE IN FAVOR.

24                   [ALL IN FAVOR SAID AYE.]

25                   ILENE ANDERSON:  OPPOSED?



1 ABSTENTIONS.

2 OKAY. THE VOTE WAS UNANIMOUS FOR  
3 MOVING IT UP TO THE FIRST THING THIS MORNING.

4 (AUDIENCE APPLAUSE.)

5 BILL BETTERLY: MADAM CHAIR, WE WILL  
6 LET THEM DEAL WITH THE PEOPLE THAT WILL BE  
7 HERE AT 4:00 O'CLOCK.

8 ILENE ANDERSON: WELL, THERE WILL BE  
9 AN OPPORTUNITY FOR PUBLIC COMMENT LATER IN THE  
10 AFTERNOON AGAIN, SO THOSE THAT DIDN'T GET IN  
11 ON THE FIRST PUBLIC COMMENT WITH REGARDS TO  
12 THAT ISSUE AND HAVEN'T SPOKEN BEFORE WILL HAVE  
13 AN OPPORTUNITY.

14 OKAY. WITH REGARDS TO THE AGENDA,  
15 IT IS A VERY FULL AGENDA. AND ONE OF THE  
16 PRIMARY PURPOSES OF THIS MEETING ACTUALLY IS  
17 TO REVIEW THE NEMO AND NECO DOCUMENT.

18 AND I WOULD LIKE TO TAKE JUST A FEW  
19 MINUTES TO SORT OF FRAME SOME OF THESE ACTUAL  
20 ISSUES THAT WE ARE GOING TO NEED TO DEAL WITH  
21 TODAY.

22 ONE OF THEM IS, IN THIS ROOM THERE  
23 IS NO FOOD OR DRINK OTHER THAN WATER. SO FOR  
24 THOSE OF YOU WHO NEED TO HAVE REFRESHMENTS,  
25 PLEASE DO THAT OUTSIDE OF THE BUILDING. THAT

1 IS, OTHER THAN WATER.

2 SECONDLY, FOR THOSE OF YOU THAT WILL  
3 BE MAKING PUBLIC COMMENT, AS WELL AS THOSE OF  
4 US ON THE ADVISORY COUNCIL, MAKE SURE THAT YOU  
5 IDENTIFY YOURSELF TO OUR COURT REPORTER SO  
6 THAT SHE IS ABLE TO HAVE A GOOD RECORD OF WHO  
7 IS GIVING PUBLIC COMMENT.

8 SO PLEASE STATE YOUR NAME CLEARLY.  
9 AND IF SHE HAS PROBLEMS WITH SPELLING, PLEASE,  
10 YOU KNOW, FEEL FREE -- IF YOU HAVE A TOUGH  
11 LAST NAME OR FIRST NAME, PLEASE FEEL FREE TO  
12 HELP HER BY SPELLING IT FOR HER.

13 I GUESS -- LET'S SEE.

14 SO I WOULD LIKE TO REVIEW THE  
15 AGENDA. AND AGAIN PUT EMPHASIS THAT ONE OF  
16 THE PRIMARY THINGS THAT DAC IS HERE TO DO  
17 TODAY IS TO PROVIDE THE BLM SOME GUIDANCE ON  
18 THE NEMO AND NECO DOCUMENT. SO THAT'S GOING  
19 TO BE TAKING UP A LARGE PART OUR AGENDA TODAY.

20 WE ELIMINATED THE MEMBERS' ORAL  
21 REPORTS, AS WELL AS THE FIELD MANAGER'S  
22 REPORTS. THE FORMAL BLM RECORDS REPORTS ARE  
23 AVAILABLE FOR THE PUBLIC AT THE TABLE IN THE  
24 LOBBY WHEN YOU ENTERED.

25 I HOPE THAT I MADE IT CLEAR TO ALL

1       OF THE ADVISORY COUNCIL MEMBERS THAT IF THEY  
2       HAVE A REPORT TO SUBMIT TO THE BLM AND TO THE  
3       PUBLIC, THEY CAN DO THAT BY PROVIDING IT IN  
4       WRITING AND THAT WOULD BE INCORPORATED INTO  
5       THE OFFICIAL MINUTES OF THE MEETING.

6               LET'S SEE.

7               SO OUR AGENDA THIS MORNING, THEN,  
8       AFTER I FINISH YAKKING UP HERE, IS THAT WE  
9       WILL MOVE THE 4:00 O'CLOCK IMPERIAL SAND DUNES  
10      RECREATION AREA RESOURCE MANAGEMENT PLAN  
11      PRESENTATION UP AND HAVE THAT BE THE FIRST  
12      THING THAT THE COUNCIL VISITS.

13              THERE WILL BE AN OPPORTUNITY FOR  
14      PUBLIC COMMENT.

15              AND WHAT I WOULD LIKE TO ASK OF YOU,  
16      SINCE WE HAVE SUCH A LIMITED TIME TODAY, THAT  
17      ALL OF YOU THAT ARE INTERESTED IN SPEAKING ON  
18      THE DUNES -- WE ONLY HAVE A HALF HOUR TO HAVE  
19      THESE COMMENTS FROM THE PUBLIC.

20              SO I WOULD LIKE YOU TO IMMEDIATELY  
21      FILL OUT YOUR SPEAKER CARD AND TAKE THAT BACK  
22      TO THE BACK TABLE SO THAT WE CAN SEE HOW MANY  
23      PEOPLE ARE GOING TO SPEAK SO WE CAN DIVIDE UP  
24      THE TIME EQUITABLY SO ALL PEOPLE HAVE AN  
25      OPPORTUNITY TO SPEAK ON THAT ISSUE.

1                   THERE IS ALSO AN OPPORTUNITY FOR  
2                   PEOPLE TO DEFER THEIR COMMENTS TO OTHERS.

3                   SO IF YOU HAVE A COMMENT THAT YOU  
4                   THINK SOMEONE ELSE CAN SPEAK MORE ELOQUENTLY  
5                   FOR YOU, PLEASE TURN IN YOUR SPEAKER CARD AND  
6                   JUST PUT "DEFERRED" AND TO WHO YOU ARE  
7                   DEFERRING THAT SO YOUR MINUTES CAN BE PUT TO  
8                   THAT PERSON FOR THEIR ELOQUENT PRESENTATION TO  
9                   THE ADVISORY COUNCIL.

10                  AFTER WE GET THROUGH THE PUBLIC  
11                  COMMENT PERIOD ON THE RESOURCE MANAGEMENT  
12                  PLAN, WE WILL GO BACK AND REVIEW THE GOALS AND  
13                  PLANNING EFFORTS OF THE NORTHERN AND EASTERN  
14                  COLORADO PLAN AND THE NORTHERN AND EASTERN  
15                  MOJAVE PLAN.

16                  WE WILL THEN HAVE AN OPPORTUNITY TO  
17                  TALK -- OR SOME OF THE COOPERATORS FROM THE  
18                  NORTHERN AND EASTERN PLAN WILL BE ABLE TO TALK  
19                  TO THE DAC AND TALK ABOUT THEIR EXPERIENCE  
20                  WITH THE PROCESS.

21                  WE WILL THEN HAVE THE SCIENCE REVIEW  
22                  OF THE NORTHERN AND EASTERN COLORADO PLAN.  
23                  AND GO ON TO THE PRESENTATION ON THE SUMMARY  
24                  OF PUBLIC COMMENTS AND PLAN AMENDMENTS FOR  
25                  BOTH OF THOSE PLANS.

1 DURING THIS PERIOD IT WILL BE A  
2 QUESTION AND ANSWER PERIOD FOR THE DESERT  
3 ADVISORY COUNCIL MEMBERS TO THE DIFFERENT  
4 PRESENTERS.

5 AND SUBSEQUENT TO THAT WE WILL ALSO  
6 HAVE A SHORT PRESENTATION ON THE RESULTS OF  
7 THE GRAZING TECHNICAL REVIEW TEAM.

8 AND AT THE -- AFTER THE QUESTION AND  
9 ANSWERS FOR THE DAC, AT THAT POINT WE WILL  
10 DEFER TO PUBLIC COMMENTS.

11 AND AGAIN, YOU WILL NEED TO GET YOUR  
12 COMMENT -- YOUR REQUEST FOR PUBLIC COMMENT IN  
13 PRIOR TO NOON TODAY SO THAT WE CAN SEE HOW  
14 MANY PEOPLE AGAIN WE HAVE THAT WOULD LIKE TO  
15 MAKE PUBLIC COMMENT ON THE NECO AND NEMO  
16 ISSUES AND TO EQUITABLY DIVIDE UP THE TIME SO  
17 THAT EVERYBODY HAS AN OPPORTUNITY TO COMMENT.

18 AFTER THAT WE WILL DO ANY CLOSING  
19 COMMENTS, COUNCIL COMMENTS. WE WILL REVIEW  
20 OUR NEXT MEETING DATE. TIM SALT WILL GIVE A  
21 MEETING SUMMARY. AND WE WILL FINALIZE THIS  
22 MEETING.

23 I HAVE A COUPLE OF OTHER COMMENTS  
24 ACTUALLY AS THE CHAIR TO MAKE WITH REGARD TO  
25 THE PUBLIC COMMENTS.

1                   ONE THING I WANTED TO DO PRIOR, FOR  
2           EVERYONE'S BENEFIT, HOPEFULLY, IS ACTUALLY  
3           REVIEW WHAT WE ARE ALL SUPPOSED TO BE DOING  
4           HERE.

5                   AND I PULLED OUT THE DAC CHARTER --  
6           "DAC" MEANING DESERT ADVISORY COUNCIL  
7           CHARTER -- AND I WOULD JUST LIKE TO REFRESH  
8           EVERYONE'S MEMORY AS TO WHAT THE DUTIES OF THE  
9           COUNCIL ARE.

10                  AT THE REQUEST OF THE DISTRICT  
11           MANAGER -- THIS IS RIGHT OUT OF THE CHARTER --  
12           AT THE REQUEST OF THE DISTRICT MANAGER OR HIS  
13           DESIGNATE, THE COUNCIL WILL MEET PERIODICALLY  
14           TO GATHER AND ANALYZE INFORMATION, CONDUCT  
15           STUDIES AND FIELD EXAMINATIONS, HEAR PUBLIC  
16           TESTIMONY, ASCERTAIN FACTS, AND IN AN ADVISORY  
17           CAPACITY ONLY DEVELOP RECOMMENDATIONS FOR THE  
18           DISTRICT MANAGER CONCERNING USE,  
19           CLASSIFICATION, RETENTION, DISPOSAL OR OTHER  
20           ASPECTS OF PUBLIC LAND PLANNING AND MANAGEMENT  
21           IN THE PUBLIC INTEREST. INCLUDING RECREATIONS  
22           REGARDING IMPLEMENTATION OF THE LONG RANGE  
23           PLAN FOR THE CALIFORNIA DESERT CONSERVATION  
24           AREA.

25                  SO WE HAVE AN ADVISORY CAPACITY

1       ONLY.  AND IT'S LIMITED TO THE RESOURCES OF  
2       PUBLIC LAND.

3               IN THAT RESPECT WHAT WOULD BE VERY  
4       HELPFUL TO THE COUNCIL WOULD BE THE PUBLIC  
5       COMMENTS; ONE, NEED TO BE ADDRESSED TO US.

6               IF YOU HAVE ANY QUESTIONS FOR  
7       PRESENTERS, PLEASE FEEL FREE TO ASK THOSE  
8       QUESTIONS.  BUT DO IT OFFLINE OUTSIDE OF THE  
9       PUBLIC COMMENT PERIOD SO THAT WHEN THE  
10      OPPORTUNITY FOR PUBLIC COMMENT TO US DAC  
11      MEMBERS OCCURS, YOU WILL BE ABLE TO MAKE THE  
12      POINT THAT YOU NEED TO MAKE.

13              AND WITH REGARDS TO THE ISSUES THAT  
14      WE ARE GOING TO BE VISITING TODAY, MAKE SURE  
15      THAT YOUR COMMENTS ARE COGENT TO THE ISSUES  
16      THAT WE ARE ACTUALLY DISCUSSING UP HERE.

17              THOSE COMMENTS ARE VERY VALUABLE TO  
18      US AND WE NEED TO KNOW WHAT YOU ARE THINKING  
19      OUT THERE, BUT WITH RESPECT TO HELPING US MAKE  
20      OUR DECISIONS, OUR ADVISORY DECISIONS AND  
21      RECOMMENDATIONS TO THE BLM .

22              IF YOU FEEL THAT THE PUBLIC COMMENT  
23      PERIOD -- ORAL PUBLIC COMMENT PERIOD IS NOT  
24      GOING TO BE ADEQUATE FOR YOU TO GET ALL OF  
25      YOUR COMMENTS ON RECORD IN THE ORAL PORTION,

1       ALSO RECOGNIZE THAT YOU HAVE AN OPPORTUNITY TO  
2       SUBMIT THOSE IN WRITING, WHETHER THAT BE  
3       SCRATCHED ON THE BACK OF A PAPER NAPKIN OR THE  
4       AGENDA.

5               YOU CAN TURN THOSE INTO US.  THEY  
6       ARE DISTRIBUTED TO US AND WE LOOK AT THOSE  
7       COMMENTS.  AND THEY ALSO BECOME PART OF THE  
8       PUBLIC RECORD.

9               SO EVEN THOUGH OUR TIMES ARE LIMITED  
10      FOR THE PUBLIC COMMENT, YOU DO HAVE AN  
11      OPPORTUNITY TO SUBMIT THOSE COMMENTS, AND I'D  
12      REALLY ENCOURAGE YOU TO DO SO.

13              SO THOSE ARE SOME OF THE GROUND  
14      RULES THAT I WOULD LIKE TO SEE AND WILL  
15      CONTINUE TO ADVOCATE FOR THIS MEETING TO TRY  
16      TO KEEP US ON SCHEDULE AND KEEP EVERYONE  
17      FOCUSED ON THE ISSUES THAT WE ARE LOOKING AT.

18              SO WITH THAT I THINK I WOULD LIKE TO  
19      GO AHEAD AND START WITH THE IMPERIAL SAND  
20      DUNES RECREATION AREA RESOURCE MANAGEMENT  
21      PLAN.

22              AND, ROXIE --

23              RON KEMPER:  MADAM CHAIR, JUST A  
24      POINT OF CLARIFICATION BEFORE WE GO ANY  
25      FURTHER.



1                   IN THE MEETING THAT WE HELD IN  
2       RIDGECREST, GRAZING INTERESTS WERE CHALLENGED  
3       TO BRING THEIR ALTERNATIVES AND PRESENT IT TO  
4       THIS DAC AT THIS MEETING.

5                   IT IS NOT ON THE AGENDA AND I AM NOT  
6       SURE THAT A COUPLE OF THEM WERE EVEN NOTIFIED  
7       BECAUSE IT WASN'T ON THE AGENDA.

8                   I DO KNOW THAT ONE OF THEM IS HERE  
9       TODAY AND WOULD LIKE TO PRESENT HIS GRAZING  
10      ALTERNATIVE.

11                  ILENE ANDERSON:  THERE ACTUALLY IS A  
12      REPORT ON THE GRAZING TECHNICAL REVIEW TEAM  
13      AFTER THE 1:00 O'CLOCK HOUR ON THE AGENDA, AND  
14      CERTAINLY THAT COULD BE VISITED THERE.

15                  RON KEMPER:  OKAY.  SO AFTER WE GIVE  
16      THE REPORT ON THE TECHNICAL REVIEW TEAM'S  
17      REPORT TO THIS COMMITTEE, THEN HE WILL HAVE AN  
18      OPPORTUNITY TO PRESENT, AS WAS THE REQUIREMENT  
19      OF THE MOTION AND SECOND AT RIDGECREST.

20                  ILENE ANDERSON:  YES, I THINK THAT'S  
21      APPROPRIATE.

22                  RON KEMPER:  THANK YOU, MADAM CHAIR.

23                  ROY DENNER:  MADAM CHAIR, AS A POINT  
24      OF CLARIFICATION -- CORRECTION, ACTUALLY.

25                  THE ITEM THAT'S ABOUT TO BE

1       PRESENTED ON THE AGENDA IS NOT A RESOURCE  
2       MANAGEMENT PLAN.   THE NAME OF THAT PLAN HAS  
3       BEEN CHANGED BACK TO THE IMPERIAL SAND DUNES  
4       RECREATION AREA MANAGEMENT PLAN.

5                   (AUDIENCE APPLAUSE.)

6                   ILENE ANDERSON:   THANK YOU FOR THE  
7       NOTE.   I WAS JUST READING OFF THE AGENDA.

8                   ROY DENNER:   I WOULD LIKE THE RECORD  
9       TO REFLECT THAT, TOO, PLEASE.   I AM ROY  
10      DENNER.

11                  ILENE ANDERSON:   OKAY.   I THINK WE  
12      ARE READY FOR OUR PRESENTATION.   AND, I AM  
13      SORRY, ROXIE, I CAN'T SEE YOU FROM WHERE I'M  
14      AT, SO...

15                  ROXIE TROST:   CAN YOU HEAR ME NOW?

16                  ILENE ANDERSON:   YES.

17                  ROXIE TROST:   GOOD MORNING, MADAM  
18      CHAIR, AND MEMBERS OF THE ADVISORY COUNCIL, AS  
19      WELL AS THE AUDIENCE.

20                  ROY DENNER JUST TOOK MY THUNDER.

21                  I WANTED TO LET EVERYONE KNOW THAT  
22      THE IMPERIAL SAND DUNES RAMP HAS INDEED BEEN  
23      CHANGED TO THE IMPERIAL SAND DUNES RECREATION  
24      AREA MANAGEMENT PLAN.

25                  I ALSO WANTED TO GIVE YOU SOME

1 HISTORY ON WHERE WE ARE AT AND WHERE WE ARE  
2 GOING WITH THE PROCESS.

3 IN 1999 AND 2000 WE HELD A SERIES OF  
4 SEVEN PUBLIC SCOPING MEETINGS WHERE WE HAD 500  
5 TO 600 PEOPLE PARTICIPATE IN THOSE PUBLIC  
6 SCOPING MEETINGS.

7 FROM THAT POINT WE DEVELOPED A RAMP  
8 WORKING GROUP. AND THAT GROUP ASSISTED IN  
9 TAKING THE PUBLIC COMMENTS AND IDENTIFYING  
10 WHAT THE ISSUES WERE AT THE IMPERIAL SAND  
11 DUNES.

12 AT THAT TIME WE IDENTIFIED 15 ISSUES  
13 TO TAKE FORWARD THROUGH THE PLANNING PROCESS.

14 SOME TIME HAS ELAPSED AND THEY  
15 DECIDED THAT THINGS HAD CHANGED AT THE  
16 IMPERIAL SAND DUNES, MAINLY WITH THE INTERIM  
17 CLOSURES, AND THAT WE NEEDED TO HOLD AN  
18 ADDITIONAL THREE PUBLIC SCOPING MEETINGS.

19 WE IDENTIFIED SEVERAL NEW ISSUES AT  
20 THOSE PUBLIC SCOPING MEETINGS. MAINLY  
21 SOCIOECONOMIC IMPACTS AT THE IMPERIAL SAND  
22 DUNES AND RECREATION MITIGATION.

23 RIGHT NOW WE ARE ON A FAST TRACK  
24 WITH THE MANAGEMENT PLAN. WE HAVE HIRED  
25 CH2MHILL AS OUR CONSULTANT TO HELP WITH THE

1 MANAGEMENT PLAN. AND WE EXPECT TO HAVE A  
2 PUBLIC DRAFT BY FEBRUARY.

3 ANYONE WHO WOULD LOVE TO BE ON THAT  
4 MAILING LIST, IF I DON'T ALREADY HAVE YOUR  
5 NAME, IF YOU WOULD JUST CALL THE OFFICE AND  
6 LEAVE YOUR NAME AND ADDRESS, YOU WILL BE SURE  
7 TO RECEIVE A COPY. AND IT WILL ALSO BE POSTED  
8 ON THE INTERNET, AS WELL.

9 AFTER THE PUBLIC DRAFT IS RELEASED  
10 WE WILL HOLD A SERIES OF PUBLIC HEARINGS WHERE  
11 YOU WILL HAVE THE OPPORTUNITY TO COMMENT ON  
12 THE DRAFT.

13 AND IT WILL BE HELD IN THE ORIGINAL  
14 LOCATIONS THAT WE HAD OUR SET SCOPING  
15 MEETINGS. THAT WILL BE IN ORANGE COUNTY OR  
16 L.A. AREA AND IN PHOENIX, IN YUMA AND IN EL  
17 CENTRO.

18 AFTER THAT WE WILL HAVE A SIGNED  
19 RECORD OF DECISION, MEANING WE WILL BE ABLE TO  
20 IMPLEMENT OUR MANAGEMENT PLAN BY OCTOBER OF  
21 2002.

22 THANK YOU.

23 ILENE ANDERSON: THANK YOU VERY  
24 MUCH.

25 DO WE HAVE ANY QUESTIONS FROM THE

1 COUNCIL? ROY DENNER.

2 ROY DENNER: I HAVE SEVERAL COMMENTS  
3 ON THAT RECREATION MANAGEMENT PLAN.

4 FIRST OF ALL, I PASSED OUT A STACK  
5 OF 11 DOCUMENTS TO EACH OF THE COUNCIL  
6 MEMBERS. INCLUDING -- INCLUDED IN THAT STACK  
7 OF DOCUMENTS ARE TWO THAT APPLY TO THE  
8 IMPERIAL SAND DUNES RECREATION AREA.

9 ONE HAS TO DO WITH A RECLOSURE OF  
10 THE OHV AREAS IN THE IMPERIAL SAND DUNES  
11 BECAUSE THE ORIGINAL CLOSURE WAS NOT DONE WITH  
12 PROPER CONSULTATION.

13 AND A LAWSUIT WAS FILED. THE JUDGE  
14 RULED, YES, IT WAS NOT A LEGAL CLOSURE, SO A  
15 RECLOSURE HAS BEEN INSTITUTED.

16 AND A DOCUMENT APPEALING THAT  
17 CLOSURE BY A MAN YOU ARE GOING TO HEAR FROM  
18 TODAY, AN ENVIRONMENTAL ATTORNEY, IS INCLUDED  
19 IN THAT STACK FOR YOUR INFORMATION.

20 THE SECOND DOCUMENT THAT IS IN THAT  
21 STACK OF PAPERS HAVING TO DO WITH THE ISDRA IS  
22 A PETITION BY THE SAME ATTORNEY TO THE  
23 SECRETARY OF THE INTERIOR TO REMOVE THE  
24 PEIRSON'S MILKVETCH PLANT FROM THE THREATENED  
25 AND ENDANGERED SPECIES LIST.

1                    THAT PLANT IS THE SOURCE OF THE  
2                    EVIDENCE FOR THE CLOSURE IN THE FIRST PLACE.

3                    AND A STUDY HAS BEEN DONE BY  
4                    INDEPENDENT BIOLOGISTS THAT SUGGEST IT NEVER  
5                    SHOULD HAVE BEEN LISTED IN THE FIRST PLACE AND  
6                    SHOULD BE REMOVED FROM THE ENDANGERED SPECIES  
7                    LIST.

8                    FINALLY, AS WITH OUR OTHER  
9                    MANAGEMENT PLAN THAT WE TALKED ABOUT HAVING TO  
10                  DO WITH OHV RECREATION, I WOULD LIKE TO MAKE A  
11                  MOTION.

12                  I WOULD LIKE TO MAKE A MOTION THAT  
13                  THIS COUNCIL RECOMMEND THAT THIS PLAN IN ITS  
14                  FINAL DRAFT HAVE A PROVISION FOR MITIGATING  
15                  IMPACTS TO RECREATION, JUST LIKE IT MITIGATES  
16                  IMPACTS TO VARIOUS OTHER ENDANGERED SPECIES.

17                  WE PASSED A SIMILAR VOTE REGARDING  
18                  THE NATIONAL OHV MANAGEMENT STRATEGY, AND I  
19                  WOULD LIKE TO REQUEST A SIMILAR VOTE ON THIS  
20                  MANAGEMENT PLAN.

21                  ILENE ANDERSON:   THAT'S A MOTION?

22                  ROY DENNER:   THAT'S A MOTION, YES.

23                  THE MOTION IS, I WOULD LIKE TO SEE  
24                  THE PLAN HAVE A PROVISION FOR PROVIDING  
25                  MITIGATION FOR IMPACTS ON ALL FORMS OF

1 RECREATION, JUST LIKE IT PROVIDES MITIGATION  
2 FOR IMPACTS ON ENDANGERED SPECIES.

3 (AUDIENCE APPLAUSE.)

4 WALLY LEIMGRUBER: I WILL SECOND  
5 THAT MOTION.

6 ILENE ANDERSON: DISCUSSION.

7 ISABELLA BURNS: I HAVE A QUESTION.

8 THIS IS IN REGARD TO THE SAND DUNES  
9 ONLY. THIS IS IN REGARD TO THE SAND DUNES  
10 ONLY THAT THEY ARE TALKING ABOUT AT THIS TIME.

11 BOB ELLIS: HI. I AM BOB ELLIS,  
12 ENVIRONMENTAL REPRESENTATIVE ON THE DAC.

13 I WONDER IF YOU COULD REVIEW WHAT  
14 THE MOTION WAS. AS I RECALL, YOU'RE  
15 REFERENCING A MOTION MADE EARLIER -- OR THE  
16 DAC VOTED EARLIER, PERHAPS A YEAR AGO, THAT  
17 THIS IS A SIMILAR MOTION TO?

18 ROY DENNER: YEAH, WE MADE A SIMILAR  
19 MOTION RELATIVE TO THE NATIONAL OHV MANAGEMENT  
20 STRATEGY ASKING THAT MITIGATION FOR IMPACTS ON  
21 RECREATION BE INCLUDED IN THAT PLAN, AS WELL.  
22 THEY NEVER WERE.

23 BOB ELLIS: AND WHEN WAS THAT?

24 ROY DENNER: THAT WAS AT THE OCTOBER  
25 DAC MEETING IN BARSTOW.

1                   BOB ELLIS:  OKAY.  ABOUT A YEAR AGO  
2                   OR SO.  ALL RIGHT.  I WAS THERE.

3                   I PERSONALLY WOULD BE AGAINST THIS  
4                   MOTION AT THIS TIME.  PRIMARILY BECAUSE I  
5                   WOULD LIKE TO HEAR -- LIKE TO HAVE IT BE PUT  
6                   ON THE -- YOU KNOW, AS PART OF DEALING WITH  
7                   THIS PLAN.

8                   I BELIEVE WHEN WE -- I WASN'T ON THE  
9                   COUNCIL AT THAT TIME.  I WAS AT THE MEETING  
10                  LAST OCTOBER.

11                  BUT I BELIEVE MY RECALL IS THAT THAT  
12                  MOTION WAS PART OF A DISCUSSION THAT WAS  
13                  DEALING WITH A PLAN THAT HAD BEEN PUT FORTH.

14                  IN THIS CASE WE'RE IN A SCOPING  
15                  PERIOD AND IT SEEMS A LITTLE BIT PREMATURE TO  
16                  PUT THAT IN THERE.

17                  ROY DENNER:  I DON'T UNDERSTAND WHY  
18                  IT'S PREMATURE TO PUT A LAND MANAGEMENT PLAN  
19                  THAT DEALS WITH PUBLIC RECREATION DURING THE  
20                  SCOPING PERIOD.  ONCE IT'S IN THE DRAFT IT  
21                  SEEMS MUCH MORE DIFFICULT TO GET SOMETHING  
22                  ADDED TO THE PLAN.  I THINK NOW IS THE TIME TO  
23                  ADDRESS THE ISSUE.

24                  (AUDIENCE APPLAUSE.)

25                  ILENE ANDERSON:  IF THOSE SORT OF



1       MITIGATIONS ARE REQUIRED FOR MOTORIZED  
2       RECREATION, THEY SHOULD ALSO BE REQUIRED FOR  
3       ALL OTHER TYPES OF USES.

4               AND SO IT SORT OF COMES DOWN TO THE  
5       BALANCED USE PROCESS AGAIN.  AND THAT'S THE  
6       WHOLE POINT OF US BEING HERE.  WHAT WE ARE  
7       TRYING TO HAMMER OUT IS BALANCED USE.

8               YOU KNOW, THE SAME CAN BE SAID FOR  
9       EVERY OTHER TYPE OF RECREATION AND USE OUT IN  
10      THE DESERT.  AND I JUST DON'T SEE THAT IT'S  
11      REALLY GOING TO GAIN MUCH IN THE LONG RUN,  
12      BECAUSE EVERYBODY IS GOING TO WANT THEIR  
13      PARTICULAR USE TO BE MITIGATED FOR.

14              AND THAT'S ESSENTIALLY WHAT WE ARE  
15      TRYING TO DO THROUGH ALL THESE LAND USE  
16      MANAGEMENT PLANS.

17              SO I CAN'T BE SUPPORTIVE OF THAT.

18              ROY DENNER:  MADAM CHAIR, IF YOU  
19      REVIEW MY MOTION, I SUGGESTED THAT THERE BE  
20      MITIGATION FOR IMPACTS ON ANY FORM OF  
21      RECREATION.  I DIDN'T SAY ANYTHING ABOUT OHV  
22      RECREATION.

23              ILENE ANDERSON:  THAT'S FINE.  BUT  
24      THERE IS ALSO MITIGATION FOR, YOU KNOW, THEN  
25      OTHER TYPES OF AREAS AND USES OUT THERE.

1 ROY DENNER: IF THE PLAN IS RIGHT  
2 FOR MITIGATION FOR ENVIRONMENTAL IMPACTS, IT  
3 SEEMS LIKE IT SHOULD ALSO ADDRESS PUBLIC USE  
4 IMPACTS.

5 ILENE ANDERSON: AND THOSE  
6 MITIGATIONS ARE REQUIRED UNDER THE LAW AS PART  
7 OF THE NECO EIS PROCESS.

8 ROY DENNER: I DON'T BELIEVE THIS  
9 DOCUMENT IS A LEGAL RESPONSE DOCUMENT. I  
10 BELIEVE THIS IS A PUBLIC LAND USE MANAGEMENT  
11 PLAN.

12 JOHN MCQUISTON: MADAM CHAIR? JON  
13 MCQUISTON. I AM ONE OF THE NEWER -- CAN YOU  
14 HEAR ME?

15 JON MCQUISTON REPRESENTING --  
16 ELECTED OFFICIAL AND FIRST DISTRICT SUPERVISOR  
17 FOR KERN COUNTY.

18 CAN YOU HEAR ME NOW? OKAY. I AM  
19 JUST GOING TO HAVE TO GET CLOSER.

20 I AM GOING TO SUPPORT THE MOTION,  
21 FOR A VERY SIMPLE REASON.

22 WHEN YOU LOOK AT THE FEDERAL LAND  
23 MANAGEMENT POLICY ACT IT TALKS ABOUT MULTIPLE  
24 USE AND SUSTAINED YIELD AND BALANCE IN  
25 COMPETING INTERESTS, AND WE DO THAT WITH

1 RESPECT TO A LOT OF PLANS.

2 WE CONSIDER THE CUMULATIVE IMPACTS  
3 TO SPECIES, WE CONSIDER THE CUMULATIVE IMPACTS  
4 ON CULTURE AND HISTORICAL VALUES AND SO FORTH.

5 I HAVE NOT SEEN A DOCUMENT YET WHEN  
6 THE LAW SAYS THAT WE SHOULD MANAGE THE  
7 MULTIPLE USE -- AND CERTAINLY RECREATIONAL USE  
8 FALLS UNDER THAT -- THERE'S AN APPEARANCE, AT  
9 LEAST, THAT IN MANAGING ALL OF THESE COMPETING  
10 INTERESTS, THAT WE ARE FORCING MORE AND MORE  
11 RECREATIONAL USE INTO SMALLER AND SMALLER  
12 AREAS. AND THEN THE IMPACT WITHIN THOSE AREAS  
13 BECOMES MORE SEVERE.

14 AND RATHER THAN MITIGATING AND  
15 TRYING TO DETERMINE WHAT THE CUMULATIVE  
16 IMPACTS OF ALL OF THESE MANAGEMENT DECISIONS  
17 IS, WE DO THAT BY MICROCAUSING THEM AND WE  
18 FURTHER MANAGE IT.

19 I DON'T BELIEVE THAT FLPMA EVER  
20 CONTEMPLATED RECREATIONAL USE AS GETTING THE  
21 LEFTOVERS. BUT THAT IN DEED APPEARS TO BE THE  
22 END RESULT OF SOME OF THE WAYS THAT WE GO  
23 ABOUT MANAGING THIS.

24 SO WHETHER IT'S THROUGH THIS MOTION  
25 OR SOME OTHER VEHICLE, QUITE FRANKLY, FROM A

1 REGIONAL PERSPECTIVE, I WOULD LIKE TO KNOW  
2 WHAT HAS BEEN THE CUMULATIVE IMPACTS WITH  
3 RESPECT TO PEOPLE USE OF THE CALIFORNIA DESERT  
4 CONSERVATION AREA. AND WHAT MANAGEMENT  
5 OPTIONS AND WHAT MANAGEMENT GOALS ARE WE  
6 MANAGING TO OTHER THAN THAT EVERY OTHER  
7 RESOURCE VALUE THAT WE WOULD CONTEMPLATE WE  
8 ROBBED FROM PETER TO PAY PAUL.

9 SO TO THAT EXTENT I DON'T THINK WE  
10 HAVE A MECHANISM FOR UNDERSTANDING WHAT ALL OF  
11 THESE THINGS ARE DOING TO PEOPLE. BE IT  
12 RECREATIONAL USE, BE IT RENEWABLE OR  
13 NONRENEWABLE RESOURCES.

14 SO I THINK THE CONCEPT IS VALID AND  
15 ONE THAT HAS SUFFICIENT MERIT TO WARRANT THIS  
16 BOARD SAYING WE WOULD LIKE FOR THAT TO BE A  
17 PART OF OUR UNDERSTANDING OF THE MANAGEMENT  
18 PLANS.

19 (AUDIENCE APPLAUSE.)

20 JIM REDDY: JIM REDDY. CAN YOU HEAR  
21 ME ALL RIGHT?

22 I WOULD LIKE TO SUPPORT IT IF THERE  
23 WOULD BE ONE REVISION TO THAT SUGGESTION.

24 THE PROBLEM THAT WE HAVE WITH THE  
25 MINING INDUSTRY IS WE NEVER GET MITIGATED,

1       EITHER. AS MOST OF US ON THIS BOARD NEVER GET  
2       MITIGATED. WE TAKE SOMETHING OUT FOR THE  
3       PLANTS.

4               AND I WOULD JUST PREFER THAT YOU  
5       CHANGE THE MOTION TO STATE THAT WE MITIGATE  
6       ALL OTHER USES.

7               IN CASE THIS IS USED AS A PRECEDENT  
8       IN THE FUTURE, THE NEXT TIME THE UTILITY  
9       CORRIDORS OR THE MINING INDUSTRY OR SOMEONE  
10      ELSE MIGHT BE IMPACTED, I THINK IT WOULD BE  
11      NICE TO KNOW THAT THE PRECEDENT THAT WAS SET  
12      WAS MITIGATING ALL USES AND NOT SIMPLY  
13      RECREATIONAL USES.

14              (AUDIENCE APPLAUSE.)

15              ROY DENNER: I HAVE NO PROBLEM WITH  
16      CHANGING THE MOTION TO STATE THAT  
17      MITIGATION -- I AM AMENDING THE MOTION TO  
18      STATE THAT MITIGATION -- THE PLAN WILL INCLUDE  
19      A PROVISION FOR MITIGATING ALL USES OF THE  
20      PUBLIC LANDS IN THE IMPERIAL SAND DUNES  
21      RECREATION AREA. INCLUDING RECREATION, OF  
22      COURSE.

23              RON KEMPER: RON KEMPER, RENEWABLE  
24      RESOURCES.

25              I WAS THE SECOND AND I WILL ADHERE

1 TO THE AMENDED MOTION.

2 ILENE ANDERSON: ANY FURTHER  
3 DISCUSSION?

4 JON MCQUISTON: MADAM CHAIR, JUST  
5 ONE COMMENT.

6 IN ORDER TO MITIGATE YOU HAVE GOT TO  
7 ASSESS CUMULATIVE IMPACT TO SEE WHAT NEEDS TO  
8 BE MITIGATED.

9 THE FOCUS OF MY DISCUSSION, THOUGH  
10 MITIGATION MEASURES MAY BE THE OUTCOME, BUT IN  
11 OUR MANAGEMENT AND OUR DECISION-MAKING PROCESS  
12 WE NEED TO ANALYZE WHAT IS THE CUMULATIVE  
13 IMPACT FOR THESE USES.

14 AND THEN FROM THAT WE CAN NORMALLY  
15 AND NATURALLY DERIVE WHAT FURTHER MITIGATION  
16 MEASURES THAT MAY BE REQUIRED.

17 BOB ELLIS: YEAH, I WOULD JUST LIKE  
18 TO MAKE A FINAL COMMENT.

19 WE ARE TALKING, I GUESS, ABOUT A  
20 PLAN FOR THE SAND DUNES. AND IT HAS BEEN  
21 DECLARED A RECREATION AREA.

22 I DON'T KNOW. I HAVEN'T SEEN THE  
23 EXACT EXTENT OF ALL THE SCOPING. I AM SURE A  
24 LOT OF PEOPLE PUT IN A LOT OF COMMENTS. AND  
25 THERE IS A FULL MEASURE OF INPUT, LET'S SAY,

1 FOR RECREATION ISSUES IN THE DUNES.

2 SO FAR WHAT I HAVE SEEN IS PLANT  
3 STUDIES HAVING TO DO WITH ONES WHICH DO SEEM  
4 RARE. SOME OF WHICH ARE ENDANGERED.

5 I DON'T KNOW WHEN WE ARE TALKING  
6 ABOUT A FULL RANGE OF PROBLEMS WITH HUMAN USES  
7 IF INDEED THE SCOPING HAS A FULL RANGE OF  
8 PROBLEMS OF -- LET'S JUST CALL THEM  
9 ENVIRONMENTAL IMPACTS.

10 I KNOW THEY USUALLY DO A CERTAIN  
11 AMOUNT OF LIP SERVICE TO THESE ISSUES, LIKE  
12 AIR QUALITY AND HABITAT CONSERVATION, TRYING  
13 TO DECIDE IF THE ENTIRE RANGE OF THE  
14 ENVIRONMENTAL COMMUNITY THAT GROWS IN THE SAND  
15 DUNES THERE IS REALLY BEING DEALT WITH  
16 PROPERLY.

17 IF -- YOU KNOW, WE HAVE AN  
18 ENVIRONMENTAL SIDE AND WE HAVE A HUMAN IMPACT  
19 SIDE. AND WHEN WE DO THESE PLANS WE NEED TO  
20 STUDY THEM ALL.

21 AND THE LAW, OF COURSE, SAYS WE HAVE  
22 TO DEAL WITH POSSIBLE HUMAN USES AND IT HAS TO  
23 DEAL WITH MAINTAINING THESE LANDS FOR THE NEXT  
24 GENERATIONS TO MAKE SURE THAT ALL THIS COMPLEX  
25 ENVIRONMENT INTERACTION IS IN A WAY WHICH IT

1 WILL LAST FOR US ALL.

2 SO I DON'T -- I THINK IT ALL NEEDS  
3 TO BE INCLUDED IN THE STUDY, YOU KNOW.

4 IF THE ENVIRONMENTAL STUDIES WILL BE  
5 AS BROAD IN SCOPE AS INDEED IT SHOULD BE BROAD  
6 FOR THE HUMAN USES, THEN I DON'T OPPOSE THIS.

7 BUT TO ME I THINK THERE STILL OUGHT  
8 TO BE SOME INPUT TO THE SCOPING THAT IS DONE  
9 BY PEOPLE IN THOSE MEETINGS. AND I DON'T KNOW  
10 THAT THIS HAS TO BE TAKEN UP BY THE DAC,  
11 THAT'S ALL.

12 BILL BETTERLY: MADAM CHAIR, IF I  
13 COULD, LET'S CALL FOR THE QUESTION, TO SEE  
14 WHETHER OR NOT WE HAVE GOT THAT, SO WE CAN  
15 MOVE ON.

16 ILENE ANDERSON: YES. AND I WOULD  
17 ALSO LIKE TO MAKE THE ANNOUNCEMENT THAT AT  
18 LEAST FOR THE DUNES PUBLIC COMMENT PERIOD, I  
19 THINK THAT WE HAVE -- YOU GUYS ARE GETTING  
20 DOWN TO LIKE SECONDS NOW. YOU HAVE 45 SECONDS  
21 OF PUBLIC COMMENT. SO LET ME CLOSE THE  
22 SUBMISSIONS FOR PUBLIC COMMENTS NOW.

23 BILL BETTERLY: I WOULD LIKE TO CALL  
24 FOR THE QUESTION BECAUSE THERE IS A MOTION ON  
25 THE FLOOR RIGHT NOW.



1                    ILENE ANDERSON:  OKAY.  ALL OF THOSE  
2    IN FAVOR.

3                    [ALL IN FAVOR SAID AYE.]

4                    OPPOSED.

5                    [ALL OPPOSED RAISED THEIR HAND.]

6                    ABSTENTIONS.

7                    (AUDIENCE APPLAUSE.)

8                    ELEVEN IN FAVOR AND TWO OPPOSED, FOR  
9    THE RECORD.

10                   ROY DENNER:  ONE OTHER QUICK COMMENT  
11    RELEVANT TO THIS ISSUE, MADAM CHAIR.

12                   ALSO INCLUDED IN THE STACK OF  
13    DOCUMENTS THAT I PASSED OUT IS AN APPEAL.

14                   AND THIS IS NOT DIRECTLY RELATED TO  
15    THE IMPERIAL SAND DUNES, BUT INDIRECTLY  
16    RELATED, BECAUSE THERE HAS BEEN A 25,600 ACRE  
17    CAMPING AREA IMMEDIATELY ADJACENT TO THE DUNES  
18    THAT IS CLOSED TO CAMPING.

19                   AND ONE OF THE DOCUMENTS IN YOUR  
20    STACK IS AN APPEAL FOR THAT CLOSURE, ALONG  
21    WITH APPEALS TO EIGHT OTHER CLOSURES BY THE  
22    BLM IN THE PAST MONTH.

23                   ILENE ANDERSON:  OKAY.  ANY OTHER  
24    DISCUSSION OR COMMENTS?

25                   WALLY LEIMGRUBER:  MADAM CHAIR, IF I

1 MAY. I'M WALLY LEIMGRUBER, IMPERIAL COUNTY  
2 SUPERVISOR, DISTRICT 5.

3 THIS PAST WEEK AT IMPERIAL COUNTY --  
4 THIS PAST TUESDAY BOARD MEETING THE IMPERIAL  
5 COUNTY BOARD OF SUPERVISERS PASSED A  
6 RESOLUTION.

7 I HAVE CIRCULATED THIS RESOLUTION  
8 AMONG THE BOARD MEMBERS HERE. I WILL READ THE  
9 RESOLUTION TO THE BENEFIT AND FOR THE BENEFIT  
10 OF THE PUBLIC.

11 I WOULD LIKE TO INSERT WHERE IT IS  
12 THE COUNTY BOARD OF SUPERVISORS, THE DISTRICT  
13 ADVISORY COUNCIL.

14 THIS RESOLUTION -- AND I WILL PUT  
15 THE DISTRICT ADVISORY COUNCIL OF THE STATE OF  
16 CALIFORNIA -- REGARDING LAW ENFORCEMENT AT  
17 IMPERIAL SAND DUNES.

18 WHEREAS RECREATIONAL USE AT IMPERIAL  
19 SAND DUNES RECREATIONAL AREA IS OF MAJOR  
20 ECONOMIC IMPORTANCE WITH RECREATIONAL USE OF  
21 THE DUNES, HAVING A LOCAL ECONOMIC IMPACT.

22 AND WHEREAS IMPERIAL SAND DUNES  
23 RECREATIONAL AREA IS THE LAST REMAINING AREA  
24 FOR RECREATIONAL USE IN IMPERIAL COUNTY, SINCE  
25 THE CLOSURES OF YUMA BASIN, WEST MESA, EAST

1 MESA, A PORTION OF OCOTILLO WELLS AND THE  
2 NORTH ALGODONES DUNES.

3 AND WHEREAS IMPERIAL SAND DUNES  
4 RECREATIONAL AREA IS PROVIDED LAW ENFORCEMENT  
5 BY NUMEROUS AGENCIES.

6 AND WHEREAS THE ENFORCEMENT OF LAWS  
7 AT THE IMPERIAL SAND DUNES HAS BECOME  
8 INADEQUATE, CONSIDERING THE NUMBER OF  
9 VISITORS.

10 AND WHEREAS THE DISTRICT ADVISORY  
11 COUNCIL DESIRES A HELPFUL RECREATIONAL  
12 ENVIRONMENT FOR ALL VISITORS TO IMPERIAL  
13 COUNTY.

14 NOW THEREFORE BE IT RESOLVED BY THE  
15 DISTRICT ADVISORY COUNCIL OF THE STATE OF  
16 CALIFORNIA REQUEST ASSISTANCE FROM THE STATE  
17 OF CALIFORNIA IN PROVIDING LAW ENFORCEMENT,  
18 ALONG WITH THE BUREAU OF LAND MANAGEMENT IN  
19 THE IMPERIAL SAND DUNES RECREATIONAL AREA.

20 (AUDIENCE APPLAUSE.)

21 THAT WOULD BE IN THE FORM OF A  
22 MOTION, MADAM CHAIR.

23 BILL BETTERLY: AND I WILL SECOND  
24 THE MOTION.

25 ILENE ANDERSON: DISCUSSION.

1                   BOB ELLIS:  OH, GO AHEAD, WALLY.

2                   WALLY LEIMGRUBER:  WE DO WANT TO  
3   WELCOME EACH AND EVERY ONE OF YOU TO THIS  
4   COUNTY OF IMPERIAL.

5                   OUT IN THE FRONT WHERE YOU PICKED UP  
6   SOME OF YOUR LITERATURE I PLACED A COUNTY MAP.

7                   YOU CAN SEE THIS COUNTY IS ONE OF  
8   THE LARGER COUNTIES IN THE STATE.  OBVIOUSLY  
9   SAN BERNARDINO IS THE LARGEST COUNTRY -- OR  
10  COUNTY IN THE UNITED STATES.  PROBABLY LARGER  
11  THAN MOST COUNTRIES.

12                  WHEN WE HAVE THIS MAJOR ECONOMIC  
13  ENGINE, AND THAT'S RECREATIONAL USE IN THIS  
14  COUNTY, WE WANT TO HAVE ALL OF OUR VISITORS  
15  COME DOWN.  WE WELCOME YOU DOWN HERE, I HAVE  
16  SAID THIS BEFORE TIME AND TIME AGAIN, TO ENJOY  
17  THIS AREA.

18                  ALL OF US DAC MEMBERS HAVE SEEN THIS  
19  OPPORTUNITY FIRSTHAND.

20                  BECAUSE OF SOME SMALL -- AND I WANT  
21  TO EMPHASIZE "SMALL" ELEMENT IN SOCIETY -- WE  
22  SEE THIS HAPPENING AFTER MAJOR SPORTING  
23  EVENTS, THE CHAMPIONSHIP TEAM WILL WIN A  
24  NATIONAL CHAMPIONSHIP OR HOWEVER AND THESE  
25  THUGS WILL GO OUT AND START DESTROYING PRIVATE

1 PROPERTY.

2 IT'S NO DIFFERENT OUT IN THIS AREA.

3 WE HAVE TRIED TO MANAGE THIS AREA  
4 WITH THE NECESSARY LAW ENFORCEMENT PERSONNEL.  
5 AND THE GROWTH HAS ACTUALLY EXCEEDED OUR LOCAL  
6 CAPABILITIES.

7 AND THEREFORE, WE ARE REQUESTING  
8 THAT THE STATE OF CALIFORNIA, BECAUSE THIS IS  
9 A STATE ISSUE, COME DOWN AND SUPPORT US.

10 AND OUR COUNTY HAS BEEN IN CONTACT  
11 WITH NUMEROUS LEAD AGENCIES.

12 AND I CAN TELL YOU THAT WORKING WITH  
13 THE LOCAL DISTRICT OFFICE HERE, WORKING WITH  
14 MIKE POOL AND TIM SALT, WE HAVE AMASSED AN  
15 ENORMOUS COALITION.

16 AND IT IS GOING TO BE REFRESHING TO  
17 SEE THIS LAW ENFORCEMENT PRESENCE OUT IN THE  
18 DUNES.

19 WE ARE NOT HERE TO TAKE AWAY  
20 ANYBODY'S FUN. WE ENCOURAGE YOU TO HAVE A FUN  
21 AND SAFE RECREATIONAL DUNE EXPERIENCE. WE  
22 DON'T WANT TO HAVE YOU GO HOME AND BE IN A  
23 HOSPITAL.

24 SO THIS RESOLUTION WILL ADDRESS SOME  
25 OF THE CONCERNS WE HAVE IN THE COUNTY. WE

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1       WOULD PASS THIS ON TO THE STATE AND CONTINUE  
2       TO BRING IN STATE ASSISTANCE.

3               (AUDIENCE APPLAUSE.)

4               BOB ELLIS:  HI.  I WOULD LIKE TO  
5       SUPPORT THE RESOLUTION PRIMARILY.  BUT I DO  
6       WANT TO TAKE AND PUT ON MY -- ANOTHER HAT I  
7       THINK I WEAR NOW AND THEN, APART FROM  
8       ENVIRONMENTAL PROTECTION.

9               I AM A NONMOTORIZED RECREATIONAL  
10      USER.  AND TO ME THE SAND DUNES ARE NOT THE  
11      LAST REMAINING AREA FOR RECREATIONAL USE.

12              AND I JUST WANTED TO THROW IN A  
13      REMINDER THAT THERE IS A LOT OF PLACES FOR  
14      NONMOTORIZED AND OTHER TYPES OF MOTORIZED  
15      RECREATIONAL USE IN IMPERIAL COUNTY.

16              SO WHEN YOU ARE DRAFTING THESE  
17      RESOLUTIONS JUST WOULD HOPE YOU KEEP IN MIND  
18      THAT THIS RECREATIONAL USE IS NOT THE ONLY  
19      RECREATION.

20              THAT'S ALL.

21              WALLY LEIMGRUBER:  I THINK, BOB, IF  
22      YOU WOULD CLARIFY WHAT WORDING WOULD YOU WANT  
23      TO HAVE AMENDED IN THIS?  WE CAN SURELY --

24              BOB ELLIS:  YOU CAN LEAVE IT THE WAY  
25      IT IS.  I AM NOT OFFERING AN AMENDMENT.  I AM

1 JUST MAKING A GENERAL SUGGESTION THAT YOU DO  
2 KEEP IN MIND THAT THERE ARE MANY TYPES OF  
3 RECREATION.

4 AND THEN YOU DO HAVE THE PHRASE IN  
5 THE SECOND WHEREAS SAYING THAT THE IMPERIAL  
6 SAND DUNE RECREATIONAL AREA IS THE LAST  
7 REMAINING AREA FOR RECREATIONAL USE IN  
8 IMPERIAL COUNTY.

9 AND THAT'S A LITTLE DRASTIC OF A  
10 COMMENT, THAT'S ALL.

11 ILENE ANDERSON: ACTUALLY I HAVE A  
12 COMMENT TO MAKE BEFORE WE LEAVE THIS.

13 AND ALTHOUGH WE CAN REQUEST THAT OF  
14 THE STATE, I THINK THAT IT MIGHT BE MORE  
15 EFFECTIVE THAT THE MOTION BE FRAMED THAT WE  
16 MAKE A RECOMMENDATION THAT THE BUREAU OF  
17 INTERIOR CONTACTS THE STATE AND REQUESTS  
18 ADDITIONAL INFORMATION.

19 TO ME THAT JUST SEEMS LIKE THAT  
20 WOULD BE A MORE -- ESSENTIALLY DOES THE SAME  
21 THING, BUT IT GIVES THE BUREAU THE OPPORTUNITY  
22 TO HAVE A FEDERAL REQUEST OF A STATE AGENCY.

23 WALLY LEIMGRUBER: I DON'T HAVE A  
24 PROBABLY WITH THAT, EITHER.

25 BILL BETTERLY: I HAVE NO PROBLEM.

1 I WILL SECOND.

2 WALLY LEIMGRUBER: YEAH, WE CAN  
3 ACTUALLY -- THE COMMENTS WERE MADE ALONG WITH  
4 THE STATE OF CALIFORNIA, THE DEPARTMENT OF  
5 INTERIOR, ABSOLUTELY. WE KNOW THAT THIS IS AN  
6 ISSUE THAT WE WANT TO BRING MULTIPLE AGENCIES  
7 IN.

8 WE HAVE HAD THE UNITED STATES BORDER  
9 PATROL RESPOND. SO WITH THE DEPARTMENT OF  
10 INTERIOR BEING INCLUDED ON THIS, I THINK WE  
11 HAVE COVERED ALL BASES.

12 SO WE WILL ADD INTO THIS, NOW  
13 THEREFORE BE IT RESOLVED REQUEST ASSISTANCE  
14 FROM THE STATE OF CALIFORNIA, AS WELL AS THE  
15 DEPARTMENT OF INTERIOR IN PROVIDING LAW  
16 ENFORCEMENT, ALONG WITH IMPERIAL LAND  
17 MANAGEMENT IN THE IMPERIAL SAND DUNES  
18 RECREATIONAL AREA.

19 BILL BETTERLY: THE SECOND WILL  
20 ACCEPT THAT.

21 WALLY LEIMGRUBER: DID THE COURT  
22 REPORTER GET ALL OF THAT? OKAY.

23 ILENE ANDERSON: CALL FOR THE VOTE.  
24 ALL OF THOSE IN FAVOR.

25 [ALL IN FAVOR SAID AYE.]



1                   OPPOSED.

2                   ABSTAINS.

3                   (AUDIENCE APPLAUSE.)

4                   OKAY. IT'S UNANIMOUS.

5                   OKAY. ANY OTHER COUNCIL DISCUSSION?

6                   I WOULD LIKE TO OPEN THAT UP FOR

7 PUBLIC COMMENT, THEN.

8                   AND I HAVE A STACK OF PAPERS WHO

9 HAVE DEFERRED TO DAVID HUBBARD. AND I WOULD

10 LIKE TO GIVE HIM 15 MINUTES.

11                  AND THEN I HAVE ONE PERSON THAT

12 DEFERRED TO VICKI WARRENS, SO SHE WILL HAVE

13 FOUR MINUTES.

14                  AND THE ADDITIONAL PEOPLE WILL HAVE

15 TWO MINUTES EACH.

16                  DAVID HUBBARD: GOOD MORNING. MY

17 NAME IS DAVID HUBBARD. I AM LEGAL COUNSEL FOR

18 THE AMERICAN SAND ASSOCIATION, AS WELL AS

19 LEGAL COUNSEL FOR THE SAN DIEGO OFF-ROAD

20 COALITION, THE CALIFORNIA OFF-ROAD VEHICLE

21 ASSOCIATION AND A SIGNIFICANT NUMBER OF OTHER

22 RECREATIONAL GROUPS WHO MAKE USE OF THE

23 DESERT, AND IN PARTICULAR MAKE USE OF THE

24 IMPERIAL SAND DUNES.

25                  I APPRECIATE THOSE MEMBERS OF THE

1 AUDIENCE WHO DEFERRED THEIR TIME TO ME. I  
2 WILL TRY TO KEEP THIS BELOW 15 MINUTES SO THAT  
3 OTHER PEOPLE MAY HAVE MORE TIME TO SPEAK TO  
4 YOU.

5 I NOTE THAT THE ISSUE BEFORE YOU  
6 TODAY IS THE RAMP THAT IS BEING DEVELOPED FOR  
7 THE IMPERIAL SAND DUNES.

8 WHAT I WANT TO TALK TO YOU ABOUT  
9 TODAY ALL RELATES TO THE RAMP, BUT IT IS AN  
10 ATTEMPT TO PUT THE RAMP IN ITS PROPER CONTEXT.

11 THE REASON THAT THERE ARE SO MANY  
12 PEOPLE INTERESTED IN THE RAMP DEVELOPMENT  
13 PROCESS IS THERE IS SIGNIFICANT CONCERN THAT  
14 THE INTERIM CLOSURES THAT -- AND I USE THE  
15 WORD "INTERIM" IN QUOTES. THESE CLOSURES WERE  
16 IMPLEMENTED MORE THAN A YEAR AGO AND HAVE  
17 NEVER BEEN LIFTED. AND THERE IS NO INDICATION  
18 THAT THEY WILL EVER BE LIFTED IN THE FUTURE.

19 SO ONE OF THE CONCERNS THAT THE  
20 PEOPLE BEFORE YOU HAVE IS THAT THE INTERIM  
21 CLOSURES, THOSE 49,000 SOME ODD ACRES THAT  
22 USED TO BE OPEN TO OHV'S, WILL BE BUILT INTO  
23 THE PLAN AS A PART OF A PERMANENTLY CLOSED  
24 AREA. IN OTHER WORDS, THE CLOSURES WILL FORM  
25 THE NEW BASELINE.

1                   LET ME JUST DISCUSS BRIEFLY WHY MANY  
2                   OF US FEEL THAT THAT IS IMPROPER.

3                   FIRST OF ALL, THE CLOSURES THAT WERE  
4                   IMPLEMENTED DEALING WITH THOSE 49,000 ACRES,  
5                   THOSE CLOSURES WERE IMPLEMENTED WITHOUT PUBLIC  
6                   PARTICIPATION. THOSE CLOSURES WERE  
7                   IMPLEMENTED WITHOUT PUBLIC INPUT.

8                   THEY WERE IMPLEMENTED WITHOUT  
9                   CONSULTATION WITH EFFECTIVE USER GROUPS, AS  
10                  REQUIRED BY THE FEDERAL LAND POLICY AND  
11                  MANAGEMENT ACT.

12                  THOSE CLOSURES WERE IMPLEMENTED  
13                  WITHOUT ENVIRONMENTAL REVIEW AS REQUIRED BY  
14                  NEPA.

15                  SO ALL OF THESE PEOPLE WHO ARE HERE  
16                  AND THE PEOPLE THEY REPRESENT WHO ARE NOT  
17                  HERE, FEEL LIKE THIS IS REALLY THEIR LAST  
18                  OPPORTUNITY TO REVERSE SOMETHING THAT WAS  
19                  IMPOSED ON THEM WITHOUT THEIR INPUT.

20                  THE OTHER THING TO KEEP IN MIND IS  
21                  THOSE CLOSURES WERE IMPLEMENTED WITHOUT THE  
22                  FINDINGS OF EMERGENCY. THEY WERE IMPLEMENTED  
23                  WITHOUT ANY EVIDENCE OF EMERGENCY.

24                  WHICH GETS US TO WHAT I THINK IS THE  
25                  MOST IMPORTANT ISSUE. AND THAT IS WHAT YOU

1 ALL WANT TO DO WITH THE CLEARLY LARGE AMOUNT  
2 OF TECHNICAL DATA THAT NOW EXISTS WITH RESPECT  
3 TO THE DUNES, AND THOSE PARTICULARLY WITH  
4 RESPECT TO THE PEIRSON'S MILKVETCH, WHICH IS  
5 THE SPECIES DRIVING THE CLOSURES.

6 BLM ISSUED A REPORT IN NOVEMBER OF  
7 2000. AND IN THAT REPORT THEY DETERMINED THAT  
8 THE PEIRSON'S MILKVETCH IS AS ABUNDANT AND AS  
9 FREQUENTLY FOUND IN THE IMPERIAL SAND DUNES IN  
10 1998 AS IT WAS IN 1977, DESPITE A TENFOLD  
11 INCREASE IN OHV USE.

12 THAT SAME REPORT FOUND THAT OHV'S  
13 GENERALLY DO NOT IMPACT THE PEIRSON'S  
14 MILKVETCH, BECAUSE THEY ARE -- GENERALLY  
15 SPEAKING, OHV USERS DO NOT DRIVE IN THE  
16 PEIRSON'S MILKVETCH COLONIES.

17 IN JUNE 2001 BLM ISSUED ANOTHER  
18 REPORT WHICH LARGELY REAFFIRMED THE FINDINGS  
19 OF THE NOVEMBER 2000 REPORT.

20 IN OTHER WORDS, THE PEIRSON'S  
21 MILKVETCH IS DOING FINE. IN FACT, IT DOES  
22 BETTER IN THE OPEN AREAS THAN IT DOES IN THE  
23 CLOSED AREAS.

24 THEN IN JULY OF 2001 AN INDEPENDENT  
25 BIOLOGIST DID A PLANT CENSUS. THE FIRST ONE

1       REALLY EVER DONE IN THE IMPERIAL SAND DUNES TO  
2       DETERMINE JUST HOW MANY PLANTS, THAT IS PMV,  
3       PEIRSON'S MILKVETCH PLANTS, EXIST IN THE  
4       DUNES.

5               BLM PREVENTED THEM FROM DOING A  
6       MOTORIZED SURVEY IN THE CLOSED AREAS. BUT  
7       THEY WERE ABLE TO DO A FULL CENSUS IN THE OPEN  
8       AREAS.

9               IN THE OPEN AREAS ALONE THEY FOUND  
10      APPROXIMATELY 72,000 INDIVIDUAL PEIRSON'S  
11      MILKVETCH PLANTS.

12              THEY THEN CONDUCTED HELICOPTER  
13      OVERFLIGHTS IN THE CLOSED AREAS AND FOUND  
14      SIMILAR COLONIES.

15              IN OTHER WORDS, IF THEY HAD BEEN  
16      GIVEN THE OPPORTUNITY TO COUNT INDIVIDUAL  
17      PLANTS IN THE CLOSED AREAS, THEY PROBABLY  
18      WOULD HAVE COME UP WITH ANOTHER 70,000 OR SO  
19      PLANTS.

20              THIS DEMONSTRATES AGAIN WHAT THE TWO  
21      BLM REPORTS HAD FIRST IDENTIFIED, WHICH IS  
22      PEIRSON'S MILKVETCH PLANT IS DOING VERY WELL.  
23      AND DOES VERY WELL IN THE OPEN AREAS.

24              AS A RESULT OF THESE DATA, THE  
25      AMERICAN SAND ASSOCIATION AND A NUMBER OF

1       OTHER OFF-ROAD GROUPS FILED A PETITION TO  
2       DELIST PEIRSON'S MILKVETCH, THAT IS TO REMOVE  
3       IT FROM THE FEDERAL LIST OF THREATENED AND  
4       ENDANGERED SPECIES.

5               THAT PETITION WAS FILED IN OCTOBER  
6       OF THIS YEAR.

7               THE SECRETARY OF THE INTERIOR HAS 90  
8       DAYS IN WHICH TO ISSUE FINDINGS AS TO WHETHER  
9       THAT PETITION PRESENTS EVIDENCE SUFFICIENT  
10      ENOUGH TO WARRANT ADDITIONAL INVESTIGATION  
11      TOWARD THE DELISTING OF THAT SPECIES.

12              IN OTHER WORDS, THE SECRETARY OF THE  
13      INTERIOR HAS TO PUBLISH WITH THE FEDERAL  
14      REGISTRAR HER FINDINGS ON OUR PETITION WITHIN  
15      90 DAYS. THOSE 90 DAYS TERMINATE AT THE END  
16      OF JANUARY.

17              THE REASON I BRING THAT UP IS  
18      CLEARLY THERE IS LEGAL AND TECHNICAL  
19      UNCERTAINTY AS TO THE STATUS OF THE PEIRSON'S  
20      MILKVETCH.

21              IT WOULD SEEM TO ME THAT IN  
22      DEVELOPING A RAMP YOU WOULD WANT TO TAKE INTO  
23      CONSIDERATION THAT CONTROVERSY AND THE  
24      POTENTIAL THAT THE SECRETARY OF THE INTERIOR  
25      MAY LAUNCH A FURTHER INVESTIGATION TOWARDS THE

1        DELISTING OF THE PEIRSON'S MILKVETCH.    THAT  
2        SHOULD BE INCLUDED IN YOUR THOUGHT PROCESS AND  
3        IN YOUR PLAN DEVELOPMENT PROCESS.

4                THE OTHER THING THAT HAS OCCURRED IS  
5        WE HAVE APPEALED THE VERY CLOSURES THAT WE ARE  
6        CONCERNED WILL BECOME PART OF THE PERMANENT  
7        RAMP.

8                THAT APPEAL HAS BEEN FILED WITH THE  
9        INTERIOR BOARD OF LAND APPEALS.    IT CHALLENGES  
10       THE CLOSURES ON GROUNDS THAT THOSE CLOSURES  
11       WERE IMPLEMENTED WITHOUT PROPER NEPA REVIEW  
12       AND WITHOUT COMPLIANCE WITH THE FEDERAL LAND  
13       POLICY AND MANAGEMENT ACT.

14               SO RETURNING TO THE RAMP.    ONE  
15       QUESTION WE ALL HAVE AND WE KEEP ASKING AND  
16       WHICH WE HAVE NOT RECEIVED AN ADEQUATE ANSWER  
17       IS, ARE THESE CLOSURES GOING TO BE PART OF THE  
18       BASELINE.    ARE THEY GOING TO BE CONSIDERED  
19       PERMANENT FOR PURPOSES OF THIS PLAN.

20               AGAIN, GIVEN THE LEGAL UNCERTAINTY  
21       AS TO THOSE CLOSURES, I WOULD SUGGEST THAT IN  
22       MAKING YOUR PLAN THAT THE CLOSURES NOT BE  
23       CONSIDERED PERMANENT.    THAT YOU LEAVE OPEN AS  
24       AN ALTERNATIVE THAT THOSE AREAS WHICH ARE  
25       CLOSED CURRENTLY MAY ULTIMATELY BE REOPENED,

1       EITHER THROUGH BLM VOLUNTARILY LIFTING THE  
2       CLOSURES OR THROUGH A COURT ORDER FORCING THE  
3       BLM TO LIFT THOSE CLOSURES.

4               THE OTHER THING IS THAT THE RAMP  
5       MUST TIGHTLY CALIBRATE ITS LAND USE  
6       LIMITATIONS WITH PERCEIVED IMPACTS ON  
7       RESOURCES. IN OTHER WORDS, LENGTHY CLOSURES  
8       ARE NOT ADEQUATE.

9               YOUR MANAGEMENT DECISIONS MUST BE  
10      BASED ON THE BEST AVAILABLE SCIENTIFIC AND  
11      TECHNICAL DATA. IT DOESN'T MAKE SENSE TO  
12      CLOSE LARGE AREAS OF THE DUNES WHEN THOSE  
13      AREAS HAVE NOT SHOWN ANY DISTRESS FROM OHV  
14      USE.

15              FURTHERMORE, THE RAMP MUST INCLUDE  
16      ALTERNATIVES THAT ACHIEVE THE PLANNING GOALS  
17      WITH THE FEWEST IMPACTS.

18              WHEN I FIRST GOT IN HERE I HEARD  
19      SOME DISCUSSION THAT TO ME SUGGESTED THAT SOME  
20      PEOPLE BELIEVE THE IMPACTS TO RECREATION ARE  
21      NOT CONSIDERED ENVIRONMENTAL IMPACTS, THAT  
22      THEY ARE OF A LOWER CATEGORY.

23              THAT IS CATEGORICALLY FALSE. NEPA  
24      SPECIFICALLY PROTECTS RECREATION AS A CATEGORY  
25      WHICH IF IMPACTED MUST BE MITIGATED.



1                   THE SAME IS TRUE OF PUBLIC SAFETY.  
2           AND TO THE EXTENT THAT THESE CLOSURES ARE  
3           FORCING OHV USERS ONTO OHV GHETTOS AND SMALLER  
4           AND SMALLER AREAS WHERE IT BECOMES  
5           INCREASINGLY DANGEROUS TO RECREATE WITH YOUR  
6           FAMILY, THOSE PUBLIC SAFETY IMPACTS MUST ALSO  
7           BE EVALUATED AND THEY MUST BE MITIGATED.

8                   AGAIN, NEPA REFERS TO IMPACTS ON THE  
9           HUMAN ENVIRONMENT. THAT HUMAN ENVIRONMENT  
10          EXTENDS BEYOND THE PLANTS AND THE ANIMALS AND  
11          THE AIR. IT EXTENDS TO RECREATION AND PUBLIC  
12          SAFETY.

13                  ULTIMATELY THIS RAMP IS A LITMUS  
14          TEST. IT WILL DETERMINE THE LEVEL OF TRUST  
15          BETWEEN THE RECREATION COMMUNITY AND BLM.

16                  THE RAMP WILL DETERMINE THE  
17          INTEGRITY OF BLM WITH RESPECT TO HOW IT  
18          CONDUCTS LAND USE MANAGEMENT AND HOW IT TREATS  
19          SCIENTIFIC DATA THAT IS BEFORE IT.

20                  SO AGAIN, I WOULD SIMPLY REITERATE,  
21          THIS IS YOUR OPPORTUNITY TO DEMONSTRATE TO THE  
22          PEOPLE WHO YOU ARE CHARGED TO SERVE WHETHER  
23          YOU WILL TAKE A HARD LOOK AT THE SCIENTIFIC  
24          DATA OR WHETHER YOUR LAND USE MANAGEMENT  
25          DECISIONS WILL BE BASED MORE ON POLITICS AND

1 LESS ON SCIENCE.

2 THANK YOU.

3 (AUDIENCE APPLAUSE.)

4 ILENE ANDERSON: VICKI WARREN IS

5 NEXT, AND SHE WILL HAVE FOUR MINUTES.

6 AND THEN I JUST WANT TO APOLOGIZE UP

7 FRONT IF I MASSACRE YOUR NAME. I AM GOING TO

8 START CALLING PEOPLE SO THAT YOU CAN BE READY

9 TO JUST FILL IN BEHIND.

10 JOHN DALGLEISH AND BILL WHITE WILL

11 BE SPEAKING SUBSEQUENTLY.

12 RON KEMPER: MADAM CHAIR, IF I CAN

13 JUST TAKE A MINUTE?

14 IS IT POSSIBLE AT THE BREAK THAT WE

15 CAN POSSIBLY SET UP A PODIUM WHERE THESE

16 PEOPLE CAN SPEAK FROM AND EVERYBODY CAN SEE

17 THEM AND THE COURT REPORTER CAN?

18 ILENE ANDERSON: THERE IS A PODIUM

19 HERE WITH A HANDHELD MIC, I NOW UNDERSTAND.

20 RON KEMPER: I JUST THINK IF WE ARE

21 GOING TO BE GOING THROUGH THIS ALL DAY, IT

22 MIGHT BE A LITTLE EASIER ON THE COUNCIL AND

23 THE COURT REPORTER BOTH.

24 ILENE ANDERSON: GO AHEAD, VICKI.

25 VICKI WARREN: I AM GOING TO KEEP

1 MINE VERY BRIEF, SO I DON'T THINK YOU NEED TO  
2 WORRY ABOUT THE PODIUM.

3 I REITERATE EVERYTHING THAT DAVID  
4 HUBBARD SAID. AND WE ARE ALL VERY CONCERNED  
5 THAT FOR SOME REASON THE BLM IS INCLUDING  
6 THESE CLOSED AREAS IN THIS RECREATIONAL AREA  
7 MANAGEMENT PLAN.

8 THE FACT THAT IT'S STILL BEING  
9 LITIGATED SHOULD BE PROOF ENOUGH THAT IT  
10 DOESN'T BELONG IN THERE.

11 I WOULD LIKE TO HAVE SOME HARD PROOF  
12 IN THE VERY NEAR FUTURE THAT THAT IS NOT SO.  
13 THAT YOU ARE NOT INCLUDING THAT IN THIS  
14 CONSIDERATION.

15 AND IF YOU DO, ALL OF YOU HAVE A  
16 RESPONSIBILITY TO LOOK AT THAT AND REALIZE  
17 THAT THAT'S WHAT'S HAPPENED.

18 MITIGATION WAS MENTIONED EARLIER. I  
19 WANT TO KEEP TALKING ABOUT MITIGATION. THAT  
20 WE TALK ABOUT THAT EACH TIME.

21 LIKE I SAID, DAVE HUBBARD SAID MOST  
22 OF WHAT I WOULD LIKE TO SAY.

23 WHAT I WOULD LIKE TO DO, THOUGH, IS  
24 WE HAVE A LOT OF NEW FACES IN THE AUDIENCE. I  
25 HAVE HAD A LOT OF PEOPLE SAY WHO ARE THESE

1 GUYS UP HERE, WE CAN'T SEE THEIR NAMES, WE  
2 DON'T KNOW WHO THEY ARE.

3 I MAY HAVE MISSED IT IF EVERYBODY  
4 INTRODUCED THEMSELVES THE FIRST THING THIS  
5 MORNING. BUT IF WE COULD TAKE A COUPLE OF  
6 MINUTES, USE THE REST OF MY FOUR MINUTES AND  
7 WHATEVER WAS LEFT OVER FROM THAT STACK OF  
8 COMMENT CARDS TO INTRODUCE EACH OF THE DAC  
9 MEMBERS, I THINK IT WOULD BE VERY HELPFUL TO  
10 MOST OF THESE PEOPLE OUT HERE WHO HAVEN'T BEEN  
11 HERE BEFORE.

12 IS THAT POSSIBLE TO DO?

13 ILENE ANDERSON: I REALLY -- OF  
14 COURSE, WE ARE ALL IDENTIFIED BY NAME AND WHAT  
15 WE REPRESENT UP HERE. I REALLY WOULD LIKE TO  
16 KEEP IT AS YOUR TIME TO MAKE COMMENTS TO US.

17 VICKI WARREN: OKAY. WAS THERE A  
18 REASON THAT THE DAC MEMBERS WEREN'T GIVEN A  
19 TIME TO GIVE ANY KIND OF REPORT OR -- I KNOW  
20 THAT WE HAD ISSUES LEFT OVER FROM THE LAST  
21 MEETING THAT WERE NOT NOT ADDRESSED SO FAR.

22 IS THERE A REASON THAT WASN'T DONE  
23 THIS TIME?

24 ILENE ANDERSON: THERE IS AN  
25 OPPORTUNITY FOR THEM TO SUBMIT A WRITTEN

1       REPORT.  BECAUSE WE HAD SO MUCH ON THE AGENDA  
2       THAT WE WANTED TO SAVE THAT SO THAT WE WOULD  
3       HAVE AMPLE TIME FOR PUBLIC COMMENT AND DAC  
4       DISCUSSION.

5               VICKI WARREN:  OKAY.  SO YOU WILL  
6       HAVE COPIES FOR ALL OF THESE PEOPLE HERE TO  
7       READ THAT WRITTEN REPORT?  BECAUSE THAT'S ONE  
8       OF THE REASONS THAT THEY COME.

9               ILENE ANDERSON:  YES.  THAT WILL BE  
10      PART OF THE RECORD.

11              VICKI WARREN:  OKAY.  IT WILL BE IN  
12      THE MINUTES OR -- I JUST NEED CLARIFICATION ON  
13      WHAT YOU MEAN BY "PART OF THE RECORD."

14              ILENE ANDERSON:  IT WILL BE IN THE  
15      MINUTES.

16              VICKI WARREN:  OKAY.  SO AS SOON AS  
17      THE DEPARTMENT OF INTERIOR GETS THEIR ACT  
18      TOGETHER AND THE WEBSITES ARE BACK UP WE WILL  
19      BE ABLE TO ACCESS THESE?  OR SHOULD I --

20              ILENE ANDERSON:  YES.

21              VICKI WARREN:  WILL WE BE SENT  
22      COPIES?

23              ILENE ANDERSON:  I BELIEVE IT WILL  
24      BE AVAILABLE ON THE WEBSITE.  THE MINUTES ARE  
25      POSTED ON THE BLM WEBSITE.

1                   VICKI WARREN:  RIGHT.  BUT THE  
2       WEBSITES ARE DOWN.  AND AS FAR AS I KNOW,  
3       NOBODY HAS ANY CLUE WHEN THEY WILL BE BACK UP.  
4       IT HAS SOMETHING TO DO WITH THE DEPARTMENT OF  
5       INDIAN AFFAIRS.

6                   I AM ONLY PUSHING THIS BECAUSE,  
7       AGAIN, A LOT OF THESE PEOPLE DON'T KNOW WHO  
8       YOU ARE.  AND I KNOW THAT THERE IS A LIST OF  
9       THESE THINGS.  BUT A LOT OF THE REASON THEY  
10      COME IS BECAUSE I SAY TO THEM THESE 15 PEOPLE  
11      NEED TO HEAR FROM YOU.  BUT THEY DON'T KNOW  
12      WHO THESE 15 PEOPLE ARE.  I WOULD LIKE THEM TO  
13      KNOW THAT.

14                  RON KEMPER:  MADAM CHAIR, I DON'T  
15      THINK THAT THEY ARE ASKING FOR US TO  
16      REINITIATE THE COMMENT PERIOD THAT WE TRIED TO  
17      SAVE TIME ON.  THEY JUST WANT TO KNOW THE  
18      NAMES OF THE PEOPLE AND WHO THEY REPRESENT.

19                  ILENE ANDERSON:  YES.  OKAY.

20                  RON KEMPER:  I THINK WE CAN DO THAT  
21      PRETTY QUICKLY.

22                  (AUDIENCE APPLAUSE.)

23                  JIM REDDY:  I AM JIM REDDY.  I  
24      REPRESENT NONRENEWABLE RESOURCES, WHICH  
25      BASICALLY MEANS MINING.

1 (AUDIENCE APPLAUSE.)

2 DENNIS CASEBIER: I AM DENNIS

3 CASEBIER AND I REPRESENT THE PUBLIC-AT-LARGE.

4 (AUDIENCE APPLAUSE.)

5 MARILYN BEARDSLEE: I AM MARILYN

6 BEARDSLEE AND I REPRESENT TRANSPORTATION/

7 RIGHT-OF-WAY.

8 (AUDIENCE APPLAUSE.)

9 ROY DENNER: I AM ROY DENNER. I

10 REPRESENT RECREATION.

11 (AUDIENCE APPLAUSE.)

12 BILL BETTERLY: I AM BILL BETTERLY

13 AND I REPRESENT THE PUBLIC-AT-LARGE.

14 (AUDIENCE APPLAUSE.)

15 TIM SALT: I AM TIM SALT, CALIFORNIA

16 DESERT DISTRICT MANAGER.

17 (AUDIENCE APPLAUSE.)

18 ILENE ANDERSON: ILENE ANDERSON. I

19 REPRESENT RENEWABLE RESOURCES. AND I AM THE

20 CHAIR THIS YEAR.

21 (AUDIENCE APPLAUSE.)

22 WALLY LEIMGRUBER: WALLY LEIMGRUBER,

23 IMPERIAL COUNTY SUPERVISOR, REPRESENTING

24 ELECTED OFFICIALS.

25 (AUDIENCE APPLAUSE.)

1                   RANDY RISTER:  I AM RANDY RISTER.  I  
2   REPRESENT WILDLIFE.  
3                   (AUDIENCE APPLAUSE.)  
4                   ISABELLA BURNS:  I'M ISABELLA BURNS  
5   AND I REPRESENT RECREATION.  
6                   (AUDIENCE APPLAUSE.)  
7                   JON MCQUISTON:  JON MCQUISTON, KERN  
8   COUNTY SUPERVISOR, PUBLIC OFFICIAL.  OR  
9   ELECTED OFFICIAL.  
10                  (AUDIENCE APPLAUSE.)  
11                  RON KEMPER:  I'M RON KEMPER.  I  
12   REPRESENT RENEWABLE RESOURCES AND I AM A  
13   RANCHER.  
14                  (AUDIENCE APPLAUSE.)  
15                  SHERI DAVIS:  MY NAME IS SHERI  
16   DAVIS.  I AM PUBLIC-AT-LARGE AND I ACTUALLY  
17   REPRESENT THE FILM INDUSTRY.  
18                  (AUDIENCE APPLAUSE.)  
19                  BOB ELLIS:  BOB ELLIS.  I REPRESENT  
20   ENVIRONMENTAL PROTECTION.  
21                  (AUDIENCE APPLAUSE.)  
22                  ILENE ANDERSON:  OKAY.  THE NEXT  
23   PUBLIC SPEAKER.  JOHN DALGLEISH.  I HOPE I AM  
24   NOT MASSACRING YOUR NAME.  
25                  JOHN DALGLEISH:  I JUST HAVE A



1 COUPLE OF QUICK COMMENTS ON THE ISDRA AND  
2 PUBLIC LAW ENFORCEMENT BEING USED.

3 ILENE ANDERSON: COULD YOU STATE  
4 YOUR NAME FOR THE RECORD?

5 JOHN DALGLEISH: JOHN DALGLEISH.  
6 ON THE ISDRA THE PROBLEMS WITH LAW  
7 ENFORCEMENT ISSUES NEED TO BE TAKEN INTO  
8 CONTEXT.

9 ANY CITY WITH A POPULATION OF  
10 APPROXIMATELY 200,000, WHICH IS WHAT WE WERE  
11 TOLD WAS AT THE ISDRA OVER THANKSGIVING, THAT  
12 THE SAME SIZE AREA WOULD HAVE MORE LAW  
13 ENFORCEMENT. AND THE LEVEL OF PROBLEMS AT THE  
14 ISDRA WERE LESS OR THE SAME AS WOULD BE  
15 EXPECTED WITH A CITY OF THAT SIZE.

16 AND MY SECOND COMMENT IS IN MANAGING  
17 PRIORITIES, PEOPLE'S USE OF THESE LANDS NEEDS  
18 TO BE AT LEAST AS IMPORTANT, IF NOT MORE, AS  
19 PLANTS AND ANIMALS.

20 WE NEED TO TAKE INTO ACCOUNT THAT  
21 THE SPECIES HAVE BEEN EVOLVING INTO SUBSPECIES  
22 AND GOING EXTINCT SINCE THE BEGINNING OF TIME.  
23 IF THIS WERE NOT TRUE WE WOULD ALL STILL BE  
24 LIVING IN CAVES THROWING ROCKS AT DINOSAURS.

25 THANK YOU.

1 (AUDIENCE APPLAUSE.)

2 ILENE ANDERSON: BILL WHITE IS NEXT,  
3 FOLLOWED BY STEVE BROOKS.

4 BILL WHITE: MY NAME IS BILL WHITE.  
5 I AM FROM SAN DIEGO.

6 I WORK IN THE ENVIRONMENTAL  
7 COMPLIANCE FIELD. AND WHAT I HAVE SEEN THAT'S  
8 BEEN PUSHED ON US AS RECREATIONAL USERS OF  
9 IMPERIAL SAND DUNES IS ATROCIOUS.

10 IF I TRIED TO PUSH THE REGULATIONS  
11 AND THE LAWS ON MY CUSTOMERS LIKE THESE  
12 CLOSURES HAVE BEEN PUSHED ON US, I WOULD BE  
13 OUT OF A JOB.

14 WHAT I AM SEEING IS THAT THE  
15 ENVIRONMENTALISTS AND THE ENVIRONMENTAL GROUPS  
16 AS A WHOLE ARE NOT NECESSARILY INTO PROTECTING  
17 THE PEIRSON'S MILKVETCH OR PROTECTING THE  
18 LIZARDS. THEY ARE INTO IMPACTING OUR  
19 RECREATION.

20 BOB, YOU SAID THAT THERE IS MULTIPLE  
21 FORMS OF RECREATION IN IMPERIAL VALLEY. I AM  
22 ASSUMING YOU ARE BOB; CORRECT?

23 BOB ELLIS: RIGHT.

24 BILL WHITE: OKAY. WELL, THAT'S  
25 YOUR RECREATION, NOT OURS. WE LIKE OUR

1       BUGGIES.  WE LIKE OUR MOTORCYCLES.  AND WE  
2       LIKE TO TAKE OUR FAMILIES OUT TO THE IMPERIAL  
3       SAND DUNES AND ENJOY THOSE.

4               IF YOU WANT TO GO OUT AND YOU WANT  
5       TO HIKE, YOU HAVE GOT PLENTY OF AREA NORTH OF  
6       HIGHWAY 78 TO DO THAT.  BUT DON'T TRY AND TAKE  
7       AWAY OUR AREA WHERE WE ARE RECREATING.  THAT'S  
8       YOUR RECREATION, THIS IS OURS.

9               (AUDIENCE APPLAUSE.)

10              WE AGREE THAT THERE ARE SOME SERIOUS  
11      ISSUES THAT NEED TO BE ADDRESSED IN THE  
12      IMPERIAL SAND DUNES.

13              THE POPULATION USAGE OF THE IMPERIAL  
14      SAND DUNES OVER THE LAST TEN YEARS HAS  
15      INCREASED TENFOLD.  I HAVE BEEN GOING THERE  
16      FOR PROBABLY ABOUT 20 YEARS NOW, MAYBE EVEN  
17      LONGER THAN THAT.  AND THERE IS A LOT MORE  
18      PEOPLE USING IT NOW.  SO IT'S EVEN MORE  
19      IMPORTANT NOW TO PROPERLY MANAGE OUR RESOURCE.

20              WE AGREE THERE ARE ISSUES.  WE AGREE  
21      WE NEED SOME MORE LAW ENFORCEMENT OUT THERE.

22              BUT BEFORE YOU START CLOSING OUR  
23      AREA, BEFORE YOU START IMPLEMENTING NEW LAWS,  
24      WHY DON'T YOU START TAKING A LOOK AT WHAT WE  
25      HAVE GOT IN PLACE RIGHT NOW AND ACTUALLY

1       ENFORCING THE LAWS THAT WE HAVE NOW.  GET MORE  
2       STAFF OUT THERE.

3               DON'T CLOSE OUR AREAS AND CONDENSE  
4       US INTO A SMALLER SPOT.  GIVE US MORE AREA.

5               SO FAR THE AREA NORTH OF THE GLAMIS  
6       STORE -- I DON'T KNOW HOW MANY ACRES IT WAS --  
7       BUT THAT WAS CLOSED ABOUT FIVE OR SIX YEARS  
8       AGO.

9               NOW WE HAVE AN AREA EAST OF THE  
10      RAILROAD TRACKS AT GORMANVILLE THAT'S CLOSED.

11              WE HAVE THE AREA PREVIOUSLY OPENED  
12      TO CAMPING WEST OF THE SMALL CANAL NORTH OF  
13      THE AMERICAN CANAL.  THAT'S BEEN CLOSED.

14              ALL THESE AREAS HAVE BEEN CLOSED  
15      WITHOUT ANY PUBLIC INPUT.  WE SHOW UP AT THE  
16      BEGINNING OF THE DESERT SEASON AND ALL OF A  
17      SUDDEN THERE'S SIGNS THAT SAY YOU CANNOT CAMP  
18      HERE ANYMORE.  AND THAT'S NOT RIGHT.

19              ILENE ANDERSON:  CAN YOU WRAP IT UP?  
20      YOUR TIME IS ALMOST UP.

21              BILL WHITE:  OKAY.  WELL, I AM  
22      WRAPPED UP.  I HAVE SAID EVERYTHING I HAVE TO  
23      SAY.

24              (AUDIENCE APPLAUSE.)

25              ILENE ANDERSON:  STEVE BROOKS IS

1       NEXT, THEN FOLLOVED BY DAVID MATTHEWS.

2                   STEVE BROOKS:  HI.  MY NAME IS STEVE  
3       BROOKS.  A LOT OF MY FRIENDS CALL ME OBSESSED.

4                   I WOULD LIKE TO MAKE JUST A BRIEF  
5       COMMENT IN LIGHT OF WHAT THE IMPERIAL  
6       OFFICIALS DID LAST WEEK.

7                   I WANT TO SAY A BIG THANK YOU TO  
8       WALLY AND ALL HIS COHORTS ON THE BOARD OF  
9       SUPERVISORS FOR PROVIDING US MORE LAW  
10      ENFORCEMENT.  WE REALLY APPRECIATE THAT.

11                  NOW I WOULD LIKE TO READ SOMETHING  
12      HERE FROM TODAY'S NEWS DEAL THAT SAYS THAT BLM  
13      DIRECTOR POOL SAID THE AGENCY WILL EXPLORE ALL  
14      OPPORTUNITIES TO INCREASE FEDERAL RANGER  
15      PRESENCE IN THE DUNES.

16                  THIS IS WHAT HE HAS BEEN DOING FOR  
17      THE LAST TWO, THREE, FOUR YEARS, WHATEVER.  HE  
18      IS EXPLORING THE OPPORTUNITIES.  WHEREAS WALLY  
19      AND THE BOARD OF SUPERVISORS TOOK THE BULL BY  
20      THE HORNS IN JUST GIVING US MORE RANGERS AND  
21      PATROL OUT THERE.

22                  THIS IS WHAT WE HAVE BEEN NEEDING  
23      AND WHAT WE HAVE BEEN WANTING TO HELP OUR  
24      DUNES GET BETTER.

25                  SO I HAVE A QUESTION NOW.  WHY IS

1       THIS?  WHY IS THE BLM FAILING US AND WHY DID  
2       THEY FAIL US ON THIS ONE CONCERN?

3               I WOULD LIKE TO CALL FOR THE  
4       RESIGNATION OF ALL BLM PERSONNEL FROM THE TOP;  
5       MIKE POOL, TIM SALT, ON DOWN THE LINE --

6               ILENE ANDERSON:  I AM SORRY, WE  
7       CAN'T ADVISE ON WHO THE BLM EMPLOYS.  BUT YOUR  
8       COMMENTS -- THE REST OF YOUR COMMENTS WILL BE  
9       TAKEN.

10              (AUDIENCE APPLAUSE.)

11              DAVID MATTHEWS IS NEXT, FOLLOWED BY  
12       MEGAN NEAL.

13              AND PLEASE STATE YOUR NAME FOR  
14       RECORD, ALSO.

15              DAVID A. MATTHEWS:  YES.  DAVID  
16       MATTHEWS, RIDGECREST.

17              YESTERDAY I HAD THE OPPORTUNITY TO  
18       VISIT THE IMPERIAL SAND DUNES FOR THE FIRST  
19       TIME IN MY LIFE AND ALSO TAKE A DUNE BUGGY  
20       RIDE.  THANK YOU VERY MUCH FOR EVERYBODY THAT  
21       HELPED PUT THAT ON.

22              ON THE SECOND STOP, INCIDENTALLY,  
23       THERE WAS A SINGLE MILKVETCH THAT JUST  
24       HAPPENED TO APPEAR.

25              I WOULDN'T HAVE KNOWN IT, EXCEPT

1        THAT WE HAD SOME EXPERTS THERE.  AND WE HAD  
2        QUITE A LITTLE DISCUSSION ABOUT IT.  THEY  
3        SEEMED TO BE SURPRISED THAT IT WAS THERE, TOO.  
4        BUT THERE IT WAS.

5                BEFORE I CAME DOWN HERE EARLIER THIS  
6        WEEK I HAD READ ARTICLES IN THE PAPER THAT NEW  
7        RULES WERE BEING IMPLEMENTED IN THE IMPERIAL  
8        SAND DUNES RECREATION AREA.

9                ONLY YESTERDAY DID I SEE REALLY  
10       DETAILED DISCUSSION IN PRINT OF WHAT SOME OF  
11       THOSE RULES WERE.  AND LO AND BEHOLD I MUST  
12       HAVE LEFT IT BACK AT THE MOTEL.  I CAN'T FIND  
13       IT NOW.

14               BUT I THINK THE BUREAU OF LAND  
15       MANAGEMENT IS GOING TO HAVE SOME PROBLEMS WITH  
16       THOSE REGULATIONS.

17               AND PERHAPS, IN PARTICULAR, THERE  
18       IS -- THE FIRST ONE SEEMS TO BE STATING -- AND  
19       I DON'T KNOW WHAT PRECIPITATED THESE NEW  
20       REGULATION -- IS THE NEW PUBLIC NUDITY RULES  
21       BEING ALLOWED ON PUBLIC LANDS.

22               THE WORDING OF THAT HAS BEEN DEALT  
23       WITH BEFORE IN OTHER AGENCIES IN OTHER AREAS.  
24       AND YOU ARE IN FOR A PROBLEM, I CAN GUARANTEE  
25       YOU THAT RIGHT NOW.

1                   YOU MAY HAVE TO INCLUDE AREAS OF  
2           CLOTHING OPTIONAL. BUT TO ENFORCE IT AS  
3           PUBLIC NUDITY, I THINK YOU ARE IN FOR A BIG  
4           PROBLEM.

5                   THE OTHER RULE WAS THE CONFISCATION  
6           OF PROPERTY AS EVIDENCE FROM PUBLIC  
7           GATHERINGS, OR SOMETHING LIKE THAT. I THINK  
8           THAT ALSO IS GOING TO BE CHALLENGED.

9                   LIKE I SAY, I DON'T KNOW WHAT  
10          PRECIPITATED THESE NEW REGULATIONS, BUT --

11                   ILENE ANDERSON: PLEASE, CAN YOU  
12          WRAP IT UP, MR. MATTHEWS? YOU ARE OUT OF  
13          TIME.

14                   DAVID A. MATTHEWS: OKAY. BASICALLY  
15          THAT'S MOSTLY IT. I THINK THESE NEW RULES  
16          NEED TO BE INCLUDED IN THE PLAN AND STUDIED  
17          VERY CLOSELY.

18                   ILENE ANDERSON: THANK YOU FOR YOUR  
19          COMMENTS.

20                   MEGAN NEAL, FOLLOWED BY LISA  
21          MARKLEY.

22                   MEGAN NEAL: MY NAME IS MEGAN NEAL,  
23          AND I APPRECIATE YOUR TIME AND YOUR  
24          CONSIDERATION.

25                   I HAVE BEEN RIDING OUT AT GLAMIS FOR



1 MORE THAN 20 YEARS WITH MY FAMILY, FRIENDS AND  
2 NEIGHBORS.

3 AND I AM ALSO AN ENVIRONMENTALIST.

4 I HAVE RIDDEN IN PLACES ALL ALONG THE WESTERN  
5 UNITED STATES, AND THERE IS NOWHERE LIKE  
6 GLAMIS. NOWHERE EVEN CLOSE TO GLAMIS.

7 AND THAT I BELIEVE THAT WE HAVE THE  
8 RIGHT TO RIDE OUT THERE. IT SHOULD NOT BE  
9 TAKEN AWAY FROM US.

10 I AGREE WITH EVERYTHING THAT  
11 EVERYBODY ELSE HAS SAID, BUT I WOULD LIKE TO  
12 POINT OUT, I HAVE STAYED IN THE AREAS THAT ARE  
13 LEFT OPEN. I HAVE SEEN INCREDIBLE AMOUNTS OF  
14 DISTRESS.

15 YOU CANNOT AGREE WITH JOHN, ONE OF  
16 HIS ISSUE POINTS. YOU CANNOT CLOSE DOWN AREAS  
17 AND CONFINE SUCH A LARGE AMOUNT OF PEOPLE TO  
18 SMALL AREAS. IT'S NOT GOOD FOR THE  
19 ENVIRONMENT.

20 SO WHAT YOU ARE ACTUALLY ENDING UP  
21 DOING IS NOT GOOD. THE DISTRESS IS WORSE.  
22 YOU ARE NOT ACCOMPLISHING YOUR GOAL AT ALL.

23 AND THAT'S IT. THANK YOU.

24 (AUDIENCE APPLAUSE.)

25 ILENE ANDERSON: LISA MARKLEY,

1 FOLLOWED BY JERRY SEAVER.

2 LISA MARKLEY: HI. MY NAME IS LISA  
3 MARKLEY AND I AM A DUNER. I ALSO VISIT MANY  
4 OTHER DESERTS IN CALIFORNIA.

5 AND CONTRARY TO BELIEF, GLAMIS IS  
6 REALLY ONE OF THE ONLY THINGS LEFT. BECAUSE  
7 EVERYTHING THAT I HAVE ENJOYED IN MY LIFE HAS  
8 PRETTY MUCH BEEN CLOSED.

9 ON MORE SPECIFIC ISSUES, WE NEED --  
10 THE DUNERS FEEL THAT, YOU KNOW, A LOT OF THE  
11 MONEY WE PAY TO THE BLM HASN'T BEEN SPENT  
12 RIGHT. THERE IS NOT ENOUGH PLACES FOR TRASH.  
13 THERE IS NOT ENOUGH OPPORTUNITIES FOR US  
14 DUNERS TO KEEP OUR AREA CLEAN, AND THAT'S BEEN  
15 A BIG DEAL.

16 I ALSO WOULD LIKE TO COMMENT THAT I  
17 THINK ON A PERSONAL LEVEL, AS WITH MANY  
18 OTHERS, THAT ONE OF THE BIGGEST ISSUES THAT  
19 WE'VE HAD IS A LOT OF PEOPLE MY AGE -- I AM  
20 ONLY 21 -- COME OUT THERE AND CREATE ISSUES.

21 AND I THINK THAT WE NEED TO LIMIT  
22 THE AMOUNT OF NUMBERED LICENSED VEHICLES ON  
23 THE SAND. I THINK THAT WOULD CUT DOWN ON A  
24 LOT OF PROBLEMS WE HAVE. AND I THINK THAT IT  
25 WOULD GIVE EVERYBODY AN OPPORTUNITY TO GO OUT

1       THERE WITH THEIR FAMILIES, RIDE THEIR BIKES  
2       AND ENJOY THE DUNES AS WE HAVE FOR DECADES.

3               THANK YOU.

4               (AUDIENCE APPLAUSE.)

5               ILENE ANDERSON:   JERRY SEAVER,  
6       FOLLOWED BY RON SCOTT.

7               JERRY SEAVER:   MY NAME IS JERRY  
8       SEAVER.   I AM THE CURRENT PRESIDENT OF ASA.  
9       AND I MET MOST OF YOU YESTERDAY ON THE TOUR.  
10      AND IT WAS VERY INTERESTING.

11              I JUST WANT TO MAKE SEVERAL POINTS.  
12      I WOULD REALLY LIKE TO HAVE THE OPPORTUNITY TO  
13      GET EVERYBODY'S COMMENTS AND MESSAGES THROUGH  
14      TO YOU, BECAUSE YOU GIVE A LOT OF  
15      RECOMMENDATIONS TO THE BLM, A LOT OF THEIR  
16      FEEDBACK COMES FROM YOU.

17              AND ONE OF THE MAIN POINTS I WANTED  
18      TO MAKE -- I THINK RANDY TALKED ABOUT IT  
19      YESTERDAY DURING THE TOUR.

20              BUT THE 32,000 ACRES THAT'S  
21      WILDERNESS RIGHT ACROSS NORTH OF 78 NOW, AT  
22      THE TIME THAT WAS PART OF THE MITIGATION FOR  
23      RECREATIONAL AREA WE USE NOW.

24              AND I THINK ALSO WITH THE DESERT  
25      ADVISORY COUNCIL GIVING ADVICE TO THE BLM ON

1       OTHERS AREA OTHER THAN IMPERIAL SAND DUNES,  
2       THAT IT NEEDS TO BE KEPT IN MIND  
3       MITIGATIONWISE AS YOU ARE CLOSING OTHER OHV  
4       OPPORTUNITIES IN OTHER AREAS, PART OF THAT  
5       MITIGATION -- PROBABLY THE IMPERIAL SAND DUNE  
6       RECREATIONAL AREA SHOULD BE CONSIDERED PART OF  
7       THAT MITIGATION. AND YOU SHOULD CONSIDER WHAT  
8       YOU CAN DO TO MAINTAIN THAT AS A RECREATION  
9       AREA WHEN YOU ARE CLOSING THESE OTHER AREAS.

10               WE HOPE THE RAMP WON'T TAKE THAT  
11       INTO CONSIDERATION. WE APPLAUD WALLY  
12       LEIMGRUBER WITH HIS RESOLUTION. IT'S MUCH  
13       NEEDED. WE HOPE THAT MORE CAN BE DONE THAN  
14       JUST THE RESOLUTION. WE HOPE THAT THE OTHER  
15       COUNTIES DO STEP UP AND HELP. AND WE WOULD  
16       HOPE TO DO ANYTHING WE CAN TO HELP YOU WITH  
17       THAT.

18               THANK YOU VERY MUCH.

19               (AUDIENCE APPLAUSE.)

20               ILENE ANDERSON: RON SCOTT, FOLLOWED  
21       BY MARK HARMS.

22               RON SCOTT: GOOD MORNING. MY NAME  
23       IS RON SCOTT. I AM WITH ASA. AND I ALSO  
24       REPRESENT A BUSINESS WHICH COMPLETELY -- WELL,  
25       NOT COMPLETELY -- THE MAJORITY RELIES --

1 RELIES ON THESE PEOPLE OUT HERE TO BUY MY  
2 PRODUCTS. IT'S MY WAY OF LIFE.

3 I ALSO WANT TO GIVE MY THANKS TO  
4 IMPERIAL COUNTY FOR TAKING THE BULL BY THE  
5 HORNS. IT'S ABOUT TIME.

6 FOR YEARS AND YEARS WE HAVE ALL BEEN  
7 COMPLAINING TO THE BLM THAT IT'S STARTING TO  
8 GET OUT OF CONTROL. AND I THINK YOU WERE  
9 INVOLVED IN AN INCIDENT AND I THINK THAT WAS  
10 THE TURNING POINT FOR US. AND IT'S ABOUT  
11 TIME.

12 I JUST HOPE, MR. SALT, YOU TAKE IT  
13 TO THE BLM AND TO YOUR BOSSES AND MAKE THIS  
14 HAPPEN.

15 IT'S STARTING TO HAPPEN. EVERYBODY  
16 IS GETTING THEIR HOPES UP. I AM MODERATOR OF  
17 THE BOARD FOR ASA. WHEN THE PRESS RELEASE WAS  
18 ISSUED, PEOPLE WERE CRYING.

19 AND IF YOU REALLY DO IT, IF YOU  
20 REALLY COME THROUGH FOR US, THANK YOU VERY  
21 MUCH.

22 IF YOU DON'T, YOU ARE GOING TO HAVE  
23 TO ANSWER TO ALL OF US AGAIN, AND I HOPE THAT  
24 DOESN'T HAPPEN.

25 THANK YOU.

1 (AUDIENCE APPLAUSE.)

2 ILENE ANDERSON: MARK HARMS,  
3 FOLLOWED BY WAYNE MOORADIAN.

4 MARK HARMS: FIRST OF ALL, IS IT MR.  
5 ELLIS?

6 BOB ELLIS: YES.

7 MARK HARMS: MR. ELLIS, WHEN YOU  
8 MAKE REFERENCE TO A LOT OR MANY OPPORTUNITIES  
9 THAT WE HAVE OUT THERE, THAT'S A PRETTY VAGUE  
10 COMMENT.

11 I WOULD LIKE YOU TO GIVE ME A  
12 SPECIFIC NUMBER. BECAUSE I DON'T THINK YOU  
13 CAN. AND I THINK WHAT YOU ARE DOING IS YOU  
14 ARE MAKING A JUDGMENT BASED ON EMOTION RATHER  
15 THAN FACT. SO IF YOU COULD DO THAT I WOULD  
16 APPRECIATE THAT.

17 THE OTHER THING IS, IS THAT THIS IS  
18 THE PETITION THAT MR. HUBBARD WAS TALKING  
19 ABOUT. THIS IS WHAT THE PETITION LOOKS LIKE  
20 TO GET THIS PLANT OUT THERE DELISTED.

21 I WAS ON MY HANDS AND KNEES LAST  
22 WEEK OUT THERE COUNTING SEEDS FOR THE SEEDBACK  
23 STUDIES THAT WE ARE DOING TO TRY TO SUPPORT  
24 THIS.

25 THE COMPANY THAT I REPRESENT IS MY

1       OWN.   SAND TIRES UNLIMITED.   THIS COMPANY HAS  
2       BEEN AROUND FOR 33 YEARS.   AND MOST OF THE  
3       PRODUCT THAT WE SELL IS USED IN THE IMPERIAL  
4       DUNES.

5               THERE IS AN EIS THAT'S BEING  
6       CONDUCTED RIGHT NOW.   THE BLM HAS CONTRACTED  
7       WITH CH2MHILL FOR THIS PURPOSE.   CH2MHILL HAS  
8       CONTACTED ME THREE TIMES ALREADY.

9               THE FIRST TIME THEY CONTACTED ME  
10      THEY ASKED ME WHAT MY OPINION WAS WITH RESPECT  
11      TO A NUMBER OUT THERE FOR CAPACITY LIMITS.

12              THIS SCARES ME.   I KNOW YOU PEOPLE  
13      ARE LOOKING AT CAPACITY LIMITS IN THE BLM, AND  
14      I AM AFRAID THAT THAT'S GOING TO BE THE ONLY  
15      ALTERNATIVE YOU USE.   AND I AM CONCERNED THAT  
16      YOU ARE NOT GOING TO HAVE SAFEGUARDS IN PLACE  
17      WITH THOSE CAPACITY LIMITS.

18              AS A RESULT OF THAT THERE IS GOING  
19      TO BE MANY MORE OF US -- THESE PEOPLE OUT HERE  
20      WHO ARE GOING TO WANT TO GO OUT ON THE  
21      HOLIDAYS THAT WON'T BE ABLE TO BECAUSE THEY  
22      DIDN'T GET THEIR RESERVATION IN.

23              AND THE POSSIBILITY OF SOME  
24      ENVIRONMENTAL GROUP BUYING THESE RESERVATIONS  
25      UP AND PREVENTING US FROM BEING OUT THERE IS

1       ALSO A CONCERN THAT I HAVE.

2               THE OTHER CONCERN I HAVE, AS WELL,  
3       IS THE ECONOMIC IMPACT THAT YOU GUYS ARE GOING  
4       TO HAVE HERE.  NOTWITHSTANDING ONLY IMPERIAL  
5       COUNTY, AND IT'S GRAVE.  IS THAT THE SECOND  
6       CONTACT THAT WAS MADE TO ME BY CH2MHILL HAD TO  
7       DO WITH HOW MUCH PRODUCT I SELL INTO IMPERIAL  
8       COUNTY.  WHAT PERCENTAGE THAT WAS.

9               I ASKED THE QUESTION, DO YOU MEAN  
10      WHAT PERCENTAGE OF MY PRODUCT ENDS UP IN  
11      IMPERIAL COUNTY?  AND THEY SAID, NO.  WE WANT  
12      TO KNOW WHAT YOUR PERCENTAGE THAT YOU SELL IS  
13      TO THAT COUNTY.

14              THE PROBLEM WITH THIS APPROACH IS  
15      THAT THE BRUSH ISN'T BROAD ENOUGH.  THEY ARE  
16      LOOKING AT ONLY IMPERIAL COUNTY AND NOT THE  
17      IMPACT WITH OUTSIDE THE COUNTY ITSELF.

18              AND THERE ARE A NUMBER OF BUSINESSES  
19      LIKE MINE THAT ARE OUTSIDE THIS COUNTY THAT  
20      SERVICE THE INTEREST OF THESE PEOPLE SITTING  
21      BEHIND ME RIGHT NOW THAT USE THIS COUNTY.

22              SO I THINK THAT THE BLM NEEDS TO  
23      CONTACT CH2MHILL.

24              ILENE ANDERSON:  CAN YOU WRAP THIS  
25      UP, SIR?  YOUR TIME IS ALMOST OVER.



1                   MARK HARMS:  YES, I WILL.

2                   AND CONTACT THEM AND ADJUST AS FAR

3                   AS THEIR STUDY IS CONCERNED SO THAT IT

4                   ENCOMPASSES THE OTHER COUNTIES, AS WELL.

5                   THANK YOU.

6                   ILENE ANDERSON:  WAYNE MOORADIAN,

7                   FOLLOWED BY JULIE ALLEN.

8                   WAYNE MOORADIAN:  I AM WAYNE

9                   MOORADIAN.

10                  MR. SALT, ARE YOU FOR OR AGAINST

11                  THIS OFF-HIGHWAY VEHICLE USE MITIGATION THAT

12                  JUST PASSED EARLIER 11 TO TWO?  I DIDN'T SEE

13                  THAT YOU WERE FOR IT OR AGAINST IT.

14                  RON KEMPER:  HE DOESN'T VOTE.

15                  WAYNE MOORADIAN:  WELL, MR. SALT,

16                  ARE YOU FOR OFF-HIGHWAY VEHICLE USE?

17                  RON KEMPER:  WHAT'S THE POINT OF

18                  ORDER?

19                  WAYNE MOORADIAN:  HE REGULATES OUR

20                  LANDS.

21                  RON KEMPER:  NOW, WAIT A MINUTE.

22                  WAIT A MINUTE.  YOU ARE HERE TO GIVE US

23                  INFORMATION THAT WE CAN ASSEMBLE.  THIS ISN'T

24                  A QUESTION AND ANSWER PERIOD.

25                  WAYNE MOORADIAN:  WELL, LAST YEAR WE

1 HAD CLOSURES A DAY BEFORE OUR MEETING ON THE  
2 19TH OF OCTOBER. THE 20TH WE HAD OUR MEETING.  
3 SO A LOT OF THINGS THAT HAPPENED PRIOR TO OUR  
4 MEETING WERE DONE WITHOUT ANY SAY-SO. THAT  
5 WAS ALREADY BROUGHT OUT EARLIER. ALL RIGHT?

6 I WOULD LIKE TO KNOW WHY THAT  
7 OCCURRED. I MEAN, I HAVE THE OPPORTUNITY TO  
8 TALK TO MR. SALT NOW.

9 RON KEMPER: NO, YOU DON'T.

10 ILENE ANDERSON: ACTUALLY YOUR  
11 COMMENTS ARE GIVEN TO US. TO THE BOARD.

12 WAYNE MOORADIAN: WELL, THIS  
13 PEIRSON'S MILKVETCH HAS EXISTED FOR THE LAST  
14 20 YEARS I HAVE BEEN GOING OUT THERE. IT  
15 OBVIOUSLY DOES NOT NEED PROTECTION. OTHERWISE  
16 IT WOULDN'T HAVE EXISTED FOR THE 20 YEARS WITH  
17 EVERYBODY CONTINUING TO GO OUT THERE.

18 TO ME THIS RADICAL ENVIRONMENTALISM,  
19 THE CBD, THE SIERRA CLUB, ET AL, IT DOES NOT  
20 APPEAR TO BE A PHILOSOPHY, IT'S  
21 TOTALITARIANISM IN ITS IMPACT. AND IT SEEMS  
22 TO ME TO BE MORE OF A MENTAL DISORDER FOR ITS  
23 PASSING EFFECT.

24 (AUDIENCE APPLAUSE.)

25 IT MAY BE MORE INTRUSIVE THAN

1       NEEDED.  THAT'S WHAT WAS JUST TALKED ABOUT  
2       ABOUT A HALF HOUR AGO.

3                THAT'S WHAT YOU GUYS ALL WANTED TO  
4       HAVE, THE FEDS COME IN AND DO REGULATION ON  
5       THE DUNES THEMSELVES.  THAT WAS MY  
6       UNDERSTANDING.  YOU GUYS ALL WERE IN AGREEMENT  
7       WITH THAT?

8                RON KEMPER:  WAIT A MINUTE.  I THINK  
9       YOU MISUNDERSTAND THE PURPOSE OF THIS PART OF  
10      THE MEETING.  THE PURPOSE OF THIS PART OF THE  
11      MEETING IS FOR YOU TO GIVE US INFORMATION.

12              WAYNE MOORADIAN:  WELL, I GUESS I  
13      HAVE GIVEN YOU AS MUCH INFORMATION AS YOU GUYS  
14      WANT.

15              WITH REGARD TO THE BOARD MEMBER  
16      THERE FROM IMPERIAL VALLEY, SAN BERNARDINO DID  
17      PASS RS2477.  THEY DID UPHOLD IT IN THEIR  
18      SUPERVISORY BOARD.  YOU MAY WANT TO DO THE  
19      SAME IN IMPERIAL.  AND THAT ENDS A LOT THESE  
20      PROBLEMS.

21              THANK YOU.

22              RON KEMPER:  THANK YOU.

23              (AUDIENCE APPLAUSE.)

24              ILENE ANDERSON:  JULIE ALLEN,  
25      FOLLOWED BY STEPHEN CLARK.

1                   JULIE ALLEN: JULIE ALLEN, SAN DIEGO  
2 COUNTY.

3                   THANK YOU FOR GIVING US THE  
4 OPPORTUNITY TO GIVE YOU SOME INPUT.

5                   I WANT TO PUT ON THE RECORD A COUPLE  
6 OF ISSUES REAL QUICK. I JUST WANT YOU TO KNOW  
7 THAT IT'S IMPORTANT TO MANY OF US, AND THAT  
8 THE MITIGATIONS FOR OFF-ROADING, DEFINITELY.  
9 I DON'T KNOW HOW IT WILL WORK FOR MINING  
10 EXACTLY.

11                  THE MITIGATIONS THAT WE ARE HOPING  
12 FOR IS ONCE YOU CLOSE AN AREA, PROVIDE SOME  
13 OTHER, YOU KNOW, OPEN SOMEPLACE ELSE. I DON'T  
14 KNOW HOW YOU WILL MOVE YOUR MINE, BUT GOOD  
15 LUCK.

16                  THE INTERIM CLOSURE DEFINITELY  
17 SHOULD NOT BE PART OF THE FINAL RAMP, PLEASE.  
18 THAT JUST DOESN'T MAKE ANY SENSE. THEY ARE  
19 THE RESULT OF A LAWSUIT, THEY ARE NOT THE  
20 RESULT OF ANY SCIENCE OR SO FORTH.

21                  I HAVE TO RESPECTFULLY DISAGREE WITH  
22 MISS DUNER IN LIMITING THE LICENSED VEHICLES.

23                  PLEASE, NO. THAT'S A TERRIBLE IDEA.  
24 WE JUST NEED TO ENFORCE THE LAWS THAT ARE  
25 ALREADY IN PLACE.

1 (AUDIENCE APPLAUSE.)

2 LIMITING LICENSED VEHICLES REGULATES  
3 AN INCREASE IN THE CAPACITY LIMIT. AND THAT'S  
4 JUST ONE MORE TOOL FOR THEM TO CLOSE US DOWN.  
5 YOU KNOW, WE ARE DAMMED IF WE DO, WE ARE  
6 DAMMED IF WE DON'T. THEY CLOSE IT IF WE DON'T  
7 USE IT ENOUGH, THEY CLOSE IT IF WE OVERUSE IT.

8 THE BLM HAS TO START UNDERSTANDING  
9 THAT THE MEANING OF MANAGEMENT IS NOT CLOSURE.  
10 THERE ARE STATE PARKS AND OFF-ROAD PARKS  
11 THROUGHOUT THIS STATE --

12 (AUDIENCE APPLAUSE.)

13 -- AND THEY DO MANAGE THE IMPACTS.  
14 THEY HAVE BIOLOGISTS AND ECOLOGISTS THERE WHO  
15 STUDY ENVIRONMENTAL IMPACTS AND FIGURE OUT  
16 WAYS TO FIX THEM.

17 SO, PLEASE, LET'S GET SOME MORE  
18 SCIENCE INVOLVED AND LESS FENCING.

19 THE LAST THING I WANT TO SAY REAL  
20 QUICK IS OF THE PEOPLE ARRESTED AT THE ISDRA  
21 THANKGIVING WEEKEND, I AM PROUD TO SAY THAT  
22 NONE OF THEM WERE MEMBERS OF THE SAN DIEGO  
23 OFF-ROAD COALITION OR CORVA OR ASA. ANY OF  
24 THE ORGANIZED OFF-ROAD ORGANIZATIONS DON'T ACT  
25 THAT WAY. IN FACT, WE ARE AGAINST IT AND WE

1       WOULD APPRECIATE YOUR HELP CURING THAT  
2       PROBLEM.

3               THANKS VERY MUCH.

4               (AUDIENCE APPLAUSE.)

5               ILENE ANDERSON:   STEPHEN CLARK,  
6       FOLLOWED BY MARK MCMILLIN.

7               STEPHEN CLARK:   MY NAME IS STEVE  
8       CLARK.   MY BACKGROUND IS THE NATIONAL PARK  
9       SERVICE FOR SEVERAL YEARS, A RANGER IN THREE  
10      NATIONAL PARKS.   FORESTRY AND WILDLIFE  
11      MANAGEMENT, SOME WORK IN MULTIPLE USE.   MY  
12      SPECIALTY WAS MULTIPLE USE FOR RECREATION  
13      WHILE I WAS WITH THE PARK SERVICE.

14              IT LOOKS LIKE WHAT WE ARE UP AGAINST  
15      HERE AS OFF-ROAD USERS IS THE SAME KINDS OF  
16      THINGS THAT I HAVE BEEN DEALING WITH FOR ABOUT  
17      THE PAST 30 YEARS IN THE RECREATION FIELD, IS  
18      THAT WE ARE POLARIZING.   THERE ARE EXTREMES ON  
19      BOTH SIDES.   NEITHER OF THOSE ENDS SHALL  
20      PREVAIL.

21              WE HAVE TO WORK TOGETHER.   WE HAVE  
22      TO TRULY LOOK AT WHAT'S MULTIPLE USE AND NOT  
23      WHAT'S   MULTIPLE USE FROM OUR OWN SPECIFIC  
24      STANDPOINTS.   AND I SEE EXTREMES ON BOTH SIDES  
25      IS MY POINT.

1 I LIKE USING THE DUNES. I BACKPACK  
2 IN THE WILDERNESS AREAS. I TAKE MY BOY OUT  
3 AND MY FAMILY OUT TO THE DUNES. I DO IT ALL.

4 AND WE NEED MULTIPLE USE. WE NEED  
5 REASONABLE REGULATIONS. WE NEED TO BE  
6 RESPONSIBLE FOR OURSELVES.

7 AND THAT HAS HAPPENED. SINCE THE  
8 '60'S THERE HAVE BEEN A TREMENDOUS CLEANUP IN  
9 THE BACK WILDERNESS. WE ARE GOING TO SEE IT  
10 AT THE DUNES. WE'VE SEEN IT ALREADY.

11 I JUST URGE YOU TO WHEN YOU LOOK AT  
12 MULTIPLE USE CONSIDER THE FACT THAT A LOT OF  
13 US ARE INVOLVED IN ALL THIS STUFF AND WE ARE  
14 NOT EXTREMISTS IN ONE FORM OR ANOTHER. WE  
15 JUST WANT TO HAVE A GOOD TIME AND FEEL SAFE  
16 AND HAVE A GOOD FAMILY EXPERIENCE.

17 THANK YOU.

18 (AUDIENCE APPLAUSE.)

19 ILENE ANDERSON: MARK MCMILLIN.

20 MARK MCMILLIN: MADAM CHAIR, THE  
21 REST OF THIS COMMITTEE, I AM MARK MCMILLIN  
22 FROM SAN DIEGO, CALIFORNIA.

23 AND I AM HERE TODAY REPRESENTING  
24 ABOUT 30 FAMILIES AND ALL OF THEIR FRIENDS  
25 THAT HAVE BEEN GOING TO GORDON'S WELL SINCE

1 1966.

2 AND I AM HERE JUST TO GIVE YOU MY  
3 TWO CENTS ON THESE PROPOSED CAPACITY LIMITS.

4 AND I JUST WANT TO MAKE SURE THAT  
5 EVERYBODY UNDERSTANDS, THERE IS ONLY ABOUT TWO  
6 WEEKENDS A YEAR THAT IT'S OUT OF CONTROL. AND  
7 I WOULD BE ALL IN FAVOR OF MORE LAW  
8 ENFORCEMENT TO HELP IT BECOME A BETTER PLACE  
9 ON THOSE TWO OR THREE WEEKENDS.

10 OUR KIDS ARE VERY IMPRESSIONABLE.  
11 AND I AM ALL FOR THE LAW ENFORCEMENT TO TAKE  
12 THE BAD ELEMENT OUT OF THE SAND DUNES ON THOSE  
13 WEEKENDS.

14 BUT TO ENFORCE SOMETHING AND TAKE  
15 MORE ACREAGE AWAY FROM US ON SOMETHING THAT  
16 OUR FAMILY HAS BEEN USING FOR 30 YEARS --  
17 WE'VE GOT THREE GENERATIONS, LIKE A LOT PEOPLE  
18 THAT HAVE BEEN GOING DOWN THERE -- AND IT'S A  
19 GOOD THING.

20 WE CAN'T TAKE THAT AWAY FROM  
21 AMERICA. AMERICA NEEDS MORE STUFF FOR  
22 FAMILIES, AND THAT IS A BIG PART OF IT.

23 I AM ALSO GOING TO THANK CORVA, ASA  
24 AND SAN DIEGO OFF-ROAD COALITION FOR WHAT  
25 THESE PEOPLE DO DAY IN AND DAY OUT.



1                   AND THANK YOU VERY MUCH.

2                   (AUDIENCE APPLAUSE.)

3                   ILENE ANDERSON:   THAT CONCLUDES THE  
4   PUBLIC COMMENTS FOR THIS SESSION.

5                   AND I THINK IT MIGHT BE TIMELY TO  
6   TAKE A BREAK NOW AND THEN COME BACK AND VISIT  
7   THE NEMO AND NECO PLANS.

8                   AND THANK YOU ALL FOR YOUR  
9   PARTICIPATION.

10                  (RECESS TAKEN.)

11                  ILENE ANDERSON:   OKAY, I THINK WE  
12   ARE READY TO START WITH OUR NEXT PRESENTATION.

13                  AND WE WILL BE REVIEWING THE GOALS  
14   OF THE DIFFERENT PLANNING EFFORTS.   THERE'S  
15   GOING TO BE A PRESENTATION BY TIM READ.

16                  SO, TIM, WHENEVER YOU ARE READY.

17                  OH, GREAT.

18                  WHILE WE ARE WAITING FOR TIM, AT THE  
19   LAST DESERT ADVISORY COUNCIL MEETING DAVID  
20   MATTHEWS ON THE FIELD TRIP TOOK SOME  
21   PHOTOGRAPHS.

22                  HE WANTED ME TO MAKE AN ANNOUNCEMENT  
23   THAT HE HAS THOSE PHOTOGRAPHS AVAILABLE FOR  
24   ANYONE THAT WOULD LIKE TO LOOK AT THOSE.   SO  
25   YOU CAN CONTACT DAVID MATTHEWS.

1                   GREAT.   TIM.

2                   TIM READ:  MADAM CHAIR, MEMBERS OF  
3           THE COUNCIL, GOOD MORNING.  THANK YOU FOR THE  
4           OPPORTUNITY.

5                   THE GOALS OF THE DESERT --  
6           CALIFORNIA DESERT PLAN WHICH COVER BLM MANAGED  
7           LAND THROUGHOUT THE CALIFORNIA DESERT ARE  
8           DEFINED AND ACHIEVED THROUGH MANAGEMENT AND  
9           PROGRAM ACTIONS AND RESOLUTION OF CONFLICTS.

10                  THE FRAMEWORK OF THE PLAN IS BASED  
11           ON LAND USE MANAGEMENT BY GEOGRAPHIC ZONES.  
12           I.E., THE TYPES OF USES THAT ARE APPROPRIATE  
13           FOR VARIOUS AREAS OF THE CALIFORNIA DESERT IN  
14           LIGHT OF EXISTING RESOURCE VALUES.

15                  THE PLAN PROVIDES OVERALL DIRECTION  
16           THROUGH FOUR MULTIPLE USE CLASSES.  "C" FOR  
17           WILDERNESS.  LIMITED USE OR "L".  MODERATE USE  
18           "M".  AND INTENSIVE USE ARE CLASS "I".

19                  MANAGEMENT DIRECTION IS GIVEN FOR  
20           VARIOUS RESOURCE VALUES AND USES SUCH AS  
21           UTILITY CORRIDORS, DOMESTIC LIVESTOCK GRAZING,  
22           MOTORIZED VEHICLE RECREATION AND THREATENED  
23           AND ENDANGERED SPECIES CONSERVATION THROUGH  
24           THE GOALS FOR EACH OF THE 12 ELEMENTS OF THE  
25           PLAN.

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1                   SPECIAL AREAS ARE IDENTIFIED FOR  
2           CONSERVATION AND PROTECTION OF IMPORTANT  
3           VALUES AND APPROPRIATE MANAGEMENT DIRECTION  
4           IDENTIFIED TO BE FURTHER DEVELOPED INTO SITE  
5           SPECIFIC CONSERVATION ACTIONS FOR THESE AREAS.

6                   CHIEF AMONG THESE ARE WILDLIFE  
7           HABITAT MANAGEMENT AREAS AND THE ACEC'S.

8                   NO ALTERNATIVES IN THESE PLAN  
9           AMENDMENTS ADDRESS THE MANAGEMENT OF AREAS  
10          OUTSIDE OF THEIR RESPECTIVE PLANNING AREA  
11          BOUNDARIES, EXCEPT THAT STANDARDS FOR PUBLIC  
12          LAND HELD, GRAZING MANAGEMENT GUIDELINES AND  
13          ORGANIZED COMPETITIVE VEHICLE EVENT DECISIONS  
14          CANNOT BE ADOPTED AND IMPLEMENTED UNTIL ALSO  
15          EVALUATED IN ALL OF THE PLANNING AREAS OF THE  
16          CDCA.

17                   THE REASONS FOR THIS IS TO ENSURE  
18          CONSISTENCY DESERT WIDE.

19                   PERIODICALLY WE HAVE TO DO  
20          AMENDMENTS TO THE DESERT PLAN THAT ARE ISSUE  
21          DRIVEN.

22                   THE CDCA PLAN RECOGNIZES THAT AS  
23          CONDITIONS CHANGE AND INFORMATION IS GATHERED  
24          AND UPDATED, MODIFICATIONS ARE TO BE MADE TO  
25          THE PLAN.

1                   CHAPTER 7 OF THE PLAN OUTLINES THE  
2                   PROCESS FOR AMENDMENTS. IN THE 21 YEARS SINCE  
3                   THE COMPLETION OF THE PLAN THERE HAVE BEEN 147  
4                   APPROVED AMENDMENTS.

5                   THESE ARE ISSUE DRIVEN AMENDMENTS  
6                   THAT WE ARE WORKING WITH IN BOTH NEMO AND NECO  
7                   AND ARE AMONG THE MOST SIGNIFICANT AMENDMENTS  
8                   SINCE THE COMPLETION OF THE PLAN IN 1980.

9                   THERE HAVE BEEN NINE EVENTS IN THE  
10                  NEMO PLANNING AREA AND EIGHT IN THE NECO  
11                  PLANNING AREA THAT HAVE CREATED CHANGES IN  
12                  CIRCUMSTANCES ON PUBLIC LANDS.

13                 THERE ARE FIVE WHICH ARE COMMON IN  
14                 BOTH PLANNING EFFORTS AND THE OTHERS ARE  
15                 UNIQUE TO EACH PLANNING AREA.

16                 THE FIVE THAT ARE COMMON ARE: ONE,  
17                 DEVELOPING STANDARDS FOR PUBLIC LAND HEALTH  
18                 AND GUIDELINES FOR GRAZING MANAGEMENT.

19                 CREATING A STRATEGY FOR RECOVERY OF  
20                 THE DESERT TORTOISE.

21                 THREE, MANAGING SPECIAL STATUS  
22                 PLANTS, ANIMALS AND NATURAL COMMUNITIES.

23                 FOUR, DESIGNATING ROUTES OF TRAVEL.

24                 AND, FIVE, CONFORMING THE PLAN TO  
25                 THE CHANGES CREATED BY THE PASSAGE OF THE

1 DESERT PROTECTION ACT IN 1994.

2 THE ONES UNIQUE TO EACH PLANNING  
3 AREA CAN BE FOUND IN THE PURPOSE AND NEED  
4 SECTION OF THE RESPECTIVE DRAFT EIS AND PLAN.

5 UNDER THE ENDANGERED SPECIES ACT WE  
6 HAVE TWO RESPONSIBILITIES THAT COME INTO PLAY  
7 IN THESE AMENDMENTS.

8 THE FIRST IS UNDER SECTION 7 AND  
9 THAT'S SECTION (A) (2). AND THAT IS TO ENSURE  
10 THAT OUR PLANNING ACTIONS DO NOT JEOPARDIZE  
11 THE CONTINUED EXISTENCE OF A LISTED SPECIES.

12 AND THE SECOND IS UNDER SECTION  
13 7(D). AND THAT IS THAT WE USE OUR AUTHORITIES  
14 IN FURTHERANCE FOR THE PURPOSE OF THE  
15 ENDANGERED SPECIES ACT. THAT IS, TO TAKE  
16 ACTION TO ACHIEVE RECOVERY FOR THE LISTED  
17 SPECIES.

18 THE DESERT TORTOISE WAS LISTED IN  
19 1990 AS A THREATENED SPECIES UNDER THE FEDERAL  
20 ENDANGERED SPECIES ACT.

21 BY LAW, LAND MANAGING AGENCIES ARE  
22 REQUIRED TO REVIEW THEIR CURRENT LAND USE  
23 PLANS, ADJUST THEM AS NECESSARY, AND CONSULT  
24 ON THEIR ADEQUACY WITH FISH AND WILDLIFE  
25 SERVICE.

1                   THE SERVICE WILL THEN ISSUE A  
2                   BIOLOGICAL OPINION ON THE ADEQUACY OF THE  
3                   PLAN.

4                   IN '94 THE SERVICE DESIGNATED  
5                   CRITICAL HABITAT FOR THE DESERT TORTOISE AND  
6                   ALSO ISSUED A RECOVERY PLAN FOR THE MOHAVE  
7                   POPULATION. WHICH PROVIDES RECOMMENDATIONS  
8                   FOR LAND PLANNING AND TORTOISE MANAGEMENT.  
9                   THESE RECOMMENDATIONS ARE IMPORTANT  
10                  CONSIDERATIONS IN DEVELOPING OUR PLAN  
11                  AMENDMENTS.

12                  THE RECOVERY PLAN STRATEGY DESCRIBED  
13                  FOR THE RECOVERY AND DELISTING OF THE MOHAVE  
14                  POPULATION OF THE DESERT TORTOISE THREE  
15                  SPECIFIC ELEMENTS.

16                  ONE OF THOSE IS THE IDENTIFICATION  
17                  OF SIX RECOVERY UNITS WITHIN THE MOHAVE  
18                  REGION.

19                  TWO, WAS TO ESTABLISH A SYSTEM OF  
20                  DWMAS OR DESERT WILDLIFE MANAGEMENT AREAS  
21                  WITHIN THE RECOVERY UNITS.

22                  AND THREE, DEVELOPMENT AND  
23                  IMPLEMENTATION OF THE SPECIFIC RECOVERY  
24                  ACTIONS WITHIN EACH DWMA.

25                  THE RECOVERY UNITS WERE ORIGINALLY

1 DESCRIBED AS EVOLUTIONARY SIGNIFICANT UNITS  
2 WITHIN THE RECOVERY PLAN.

3 THESE WERE DEFINED AS AREAS  
4 CONTAINING POPULATIONS OR GROUPS OF  
5 POPULATIONS THAT SHOW SIGNIFICANT  
6 DIFFERENTIATION IN GENETICS, MORPHOLOGY,  
7 ECOLOGY OR BEHAVIOR AND THUS ARE IMPORTANT  
8 COMPONENTS OF THE EVOLUTIONARY LEGACY OF THE  
9 DESERT TORTOISE.

10 THE NECO PLAN AMENDMENT TAKES ITS  
11 NAME FROM TWO OF THESE RECOVERY UNITS WHICH  
12 ARE LOCATED COMPLETELY IN CALIFORNIA AND  
13 TOTALLY WITHIN THE PLANNING AREA BOUNDARY.  
14 THESE TWO ARE THE NORTHERN COLORADO AND THE  
15 EASTERN COLORADO RECOVERY UNITS.

16 THE NEMO PLAN AMENDMENT TAKES ITS  
17 NAME FROM TWO OF THE RECOVERY UNITS, AS WELL.  
18 THE NORTHEASTERN MOHAVE, AND THAT'S MOSTLY  
19 NEVADA, BUT INCLUDES THE IVANPAH VALLEY IN  
20 CALIFORNIA; AND THE EASTERN MOJAVE RECOVERY  
21 UNIT, WHICH ALSO COVERS BOTH CALIFORNIA AND  
22 NEVADA, BUT IT IS PRIMARILY IN CALIFORNIA.

23 THE PLANNING AREA COVERS ONLY THOSE  
24 AREAS IN CALIFORNIA AND ONLY THOSE WITHIN THE  
25 CALIFORNIA DESERT CONSERVATION AREA.

1           THE RECOVERY PLAN RECOMMENDS GENERAL  
2       AREAS WHERE DWMAS SHOULD BE ESTABLISHED WITHIN  
3       THE RECOVERY UNITS.

4           IT ALSO RECOMMENDS THAT THE DWMAS  
5       SHOULD BE ESTABLISHED WITHIN THE RECOVERY  
6       UNITS. EXCUSE ME. IT ALSO RECOMMENDS THAT  
7       THE DWMAS SHOULD FOLLOW ACCEPTED CONCEPTS OF  
8       RESERVE DESIGN.

9           IN THAT PLAN IT DEFINES RESERVE AS  
10      THE DEVELOPMENT OF MANAGEMENT WITHIN DWMAS  
11      NECESSARY TO REDUCE OR ELIMINATE FACTORS WHICH  
12      HAVE CAUSED DECLINES IN THE DESERT TORTOISE  
13      POPULATION.

14          THE RECOVERY PLAN ALSO STRONGLY  
15      ENCOURAGES LAND MANAGERS TO TAKE A  
16      MULTI-SPECIES APPROACH TO RESERVE DESIGN AND  
17      INCLUDE HABITAT OF OTHER RARE OR DECLINING  
18      SPECIES INTO THE DWMAS.

19          THEIR POINT IS THAT SUCH AN APPROACH  
20      WOULD REDUCE THE NEED TO LIST OTHER SPECIES OF  
21      PLANTS OR ANIMALS IN THE MOHAVE REGION.  
22      CLEARLY THIS IS TO BE DONE THROUGH OUR LAND  
23      USE PLANNING PROCESS.

24          SO OUR JOB IS TO FIRST REVIEW THE  
25      DESERT PLAN FOR ACTIONS WHICH MIGHT -- MAY BE



1 ADVERSE TO THE RECOVERY OF THE LISTED SPECIES,  
2 ESPECIALLY THE DESERT TORTOISE.

3 IF ANY ARE FOUND, THEN DEVELOP PLAN  
4 AMENDMENTS WHICH WOULD CORRECT THE ELEMENT OR  
5 PORTION OF THE PLAN WHICH ARE NOT CONTRIBUTING  
6 TO RECOVERY.

7 IT'S IMPORTANT TO NOTE THAT ACTIONS  
8 IN THE RECOVERY PLAN ARE NOT MANDATED, BUT  
9 SERVE AS A GUIDE. HOWEVER, WE MUST TAKE  
10 ACTIONS TO ACHIEVE RECOVERY.

11 THE RECOVERY PLAN ALSO IDENTIFIES  
12 THE BASIC ECOLOGY OF THE DESERT TORTOISE AND  
13 IDENTIFIES GENETIC AND DEMOGRAPHIC  
14 CONSIDERATIONS FOR MEASURING THE POPULATIONS  
15 AND THE STANDARD FOR RECOVERY. IT ALSO MAKES  
16 RECOMMENDATIONS FOR MANAGEMENT ACTIONS ON THE  
17 GROUND. HOWEVER, IT IS NOT A LAND USE PLAN.

18 WHAT IS CLEAR IS THE DESERT TORTOISE  
19 IS LISTED AS A THREATENED SPECIES AND IT IS IN  
20 TROUBLE.

21 OUR JOB IS TO DEVELOP MANAGEMENT  
22 PRESCRIPTIONS WITHIN THE FRAMEWORK OF THE  
23 DESERT PLAN WHICH WILL RESULT IN THE RECOVERY  
24 OF THE DESERT TORTOISE AND OTHER LISTED  
25 SPECIES AND ALLOW FOR THE CONTINUED USE AND

1 ENJOYMENT OF THE DESERT AND ITS RESOURCES.

2 NOW, THE NEMO AND NECO AMENDMENTS DO  
3 NOT ADDRESS EVERY ELEMENT OF THE EXISTING  
4 DESERT PLAN.

5 IN A REVIEW OF THE PUBLIC COMMENTS  
6 RECEIVED THERE APPEARS TO BE SOME CONFUSION  
7 ABOUT THESE AMENDMENTS.

8 THEIR PURPOSE IS NOT TO REPLACE THE  
9 DESERT PLAN BUT TO BRING THOSE ELEMENTS WHICH  
10 ARE OUTDATED UP TO CURRENT LEGAL STANDARDS.

11 MOST ELEMENTS OF THE DESERT PLAN ARE  
12 NOT AMENDED BY THESE DOCUMENTS AND WILL REMAIN  
13 IN EFFECT AS BEFORE.

14 FOR EXAMPLE, MOST OF THE  
15 PRESCRIPTIONS THAT HAVE BEEN DEVELOPED FOR  
16 MANAGING ACTIVITIES TO ENSURE THE RECOVERY OF  
17 THE DESERT TORTOISE ONLY APPLY WITHIN THE  
18 RECOVERY ACECS.

19 NEMO AND NECO WERE ON DIFFERENT  
20 SCHEDULES, BUT EVENTS HAVE BROUGHT THEM  
21 TOGETHER. TODAY, AS MUCH AS POSSIBLE, WE  
22 WILL DEAL WITH THE ISSUES COMMON TO BOTH  
23 PLANS.

24 THESE PLANNING EFFORTS HAVE RESULTED  
25 IN THE DOCUMENTS WHICH HAVE BEEN REVIEWED OVER

1 THE LAST SIX MONTHS BY MOST PEOPLE HERE TODAY  
2 AND ARE THE SUBJECT OF THIS MEETING.

3 THE DOCUMENTS DO PROPOSE CERTAIN  
4 MANAGEMENT PRESCRIPTIONS WITHIN THE RECOVERY  
5 ACECS WHICH WE BELIEVE MEET THE CHALLENGE OF  
6 RECOVERY OF LISTED SPECIES WHILE ALLOWING FOR  
7 THE CONTINUED USE AND ENJOYMENT OF THE DESERT  
8 AND ITS RESOURCES.

9 WE HAVE VERY FULL AGENDA TODAY AND  
10 WON'T HAVE TIME TO ADDRESS EVERY ISSUE ON  
11 EVERY PAGE OF THOSE PLANS.

12 OUR INTENT IS TO ADDRESS THE MAJOR  
13 ISSUES AS IDENTIFIED BY PUBLIC COMMENT AND OUR  
14 GOAL IS TO HAVE RECOMMENDATIONS FROM THE  
15 COUNCIL ON HOW TO ADDRESS THE PUBLIC COMMENTS  
16 RECEIVED IN THESE DOCUMENTS ON THESE DOMINANT  
17 ISSUES.

18 SO WITH THAT I WILL STOP AND ALLOW  
19 THE AGENDA TO CONTINUE.

20 I WILL BE AVAILABLE AT THE END OF  
21 THE DAY FOR ANY QUESTIONS PERTAINING TO MY  
22 COMMENTS.

23 THANK YOU.

24 ILENE ANDERSON: THANKS VERY MUCH,  
25 TIM.

1                   THAT WAS A NICE OVERVIEW AND I THINK  
2           IT'S A GREAT INTRODUCTION TO WHAT WE ARE --  
3           ONE OF OUR GOALS HERE TODAY.

4                   NEXT ON THE AGENDA IS SOME WEIGHING  
5           IN FROM PEOPLE THAT ARE ACTUALLY INVOLVED IN  
6           THE PROCESS.

7                   AND I WOULD LIKE TO START OUT BY  
8           INTRODUCING NORM WUYTENS. I AM SORRY, I  
9           ALREADY MASSACRED IT. NORM WUYTENS. HE IS  
10          HEAD COOPERATOR FROM DESERT WILDLIFE UNLIMITED  
11          ON NECO.

12                  NORM WUYTENS: YOU GOT IT RIGHT THE  
13          SECOND TIME. THANK YOU.

14                  GOOD MORNING, COUNCIL, MADAM CHAIR  
15          AND THE AUDIENCE. I APPRECIATE THE TIME TO BE  
16          HERE.

17                  TEN MINUTES, MORE OR LESS?

18                  ILENE ANDERSON: 15, I THINK. WE  
19          HAVE A HALF HOUR FOR THIS SECTION AND THERE IS  
20          TWO OF YOU.

21                  NORM WUYTENS: OKAY. BUT THERE IS  
22          ALSO GOING TO BE QUESTIONS AND ANSWERS.

23                  ILENE ANDERSON: YES.

24                  NORM WUYTENS: OKAY.

25                  YEAH, I WOULD LIKE TO JUST EXPLAIN

1 TO EVERYBODY HOW WE WERE INVOLVED.

2 AND WHEN I SAY "WE" I AM A MEMBER OF  
3 DESERT WILDLIFE. AND WE ARE VERY ACTIVE IN  
4 WORKING OUT HERE IN THE DESERT WITH WATER  
5 SOURCES.

6 AND WE ARE A HUNTING GROUP. MOST OF  
7 OUR MEMBERS HUNT. AND, OF COURSE, WE HAVE  
8 JUST GONE THROUGH THE DEER SEASON OUT HERE.

9 AFTER THE FIRST ATTEMPT BY BLM TO  
10 WRITE THE NECO PLAN, A PLAN FOR OUR DESERT OUT  
11 HERE, THIS IS WHAT WE SAW WHEN IT WAS  
12 PUBLISHED. AND WE DIDN'T LIKE IT TOO WELL.  
13 THERE WAS GOING TO BE A LOT MORE AREA CLOSED  
14 THAN WHAT WE SEE CLOSED OUT THERE RIGHT NOW.

15 AND YOU HAVE TO UNDERSTAND THAT THIS  
16 IS IN OMISSION OF THE SAND DUNES. SO WE ARE  
17 TALKING ABOUT ALL THE REST OF THE DESERT.

18 AND YOU ALSO HAVE TO REALIZE THAT WE  
19 HAVE THE BOMBING RANGE OUT THERE, WE HAVE  
20 WILDERNESS AREA OUT THERE.

21 AND NONE OF THIS HAS ANYTHING TO DO  
22 WITH -- WELL, IT DOES HAVE SOMETHING TO DO  
23 WITH THE NECO PLAN -- BUT THE WILDERNESS WAS  
24 NOT INITIATED BY THE NECO PLAN. THIS WAS ALL  
25 DESERT PROTECTION ACT.

1                   SO THERE'S A LOT OF THINGS THAT NECO  
2   ADDRESSES, BUT SOME OF THE THINGS OUT THERE  
3   WERE ALREADY IN PLACE BEFORE NECO EVER GOT  
4   THERE.

5                   DESERT WILDLIFE WAS ASKED TO  
6   COOPERATE IN THE REWRITING OF THE NECO PLAN.  
7   AND SOMEHOW OR OTHER I WAS THE ONE THAT WAS  
8   ASSIGNED TO DO THE TASK.

9                   IT SOMETIMES WAS ENJOYABLE,  
10  SOMETIMES IT WAS NOT SO ENJOYABLE.

11                  WE WENT -- WE SPENT THREE YEARS  
12  WORKING ON THIS.  A LOT OF MEETINGS.  THERE  
13  WAS A LOT OF THOUGHTS THAT WENT INTO THIS  
14  PLAN.  THERE WAS A LOT OF DATA.

15                  THERE WAS A LOT OF DATA THAT WAS NOT  
16  USED BECAUSE IT WAS NOT GOOD DATA.  I WOULDN'T  
17  EVEN CALL IT DATA.  THE ORIGINAL PLAN USED  
18  SOME CONCEPTS THAT WE DIDN'T AGREE WITH.

19                  SO THIS HAS BEEN A LONG TIME IN  
20  WRITING.  WE WENT FROM A PLAN OF THIS SIZE TO  
21  A PLAN OF THIS SIZE.  THERE IS A LOT OF  
22  MATERIAL IN HERE.

23                  I CAN HONESTLY TELL YOU THAT I  
24  HAVEN'T READ THE WHOLE THING.  I HAVE READ  
25  WHAT I CONSIDER TO BE IMPORTANT, WHAT WE

1       CONSIDER TO BE IMPORTANT AS FAR AS DESERT  
2       WILDLIFE AND MYSELF ARE CONCERNED.

3               WE WANTED OPEN WASHES, OPEN  
4       VEHICULAR TRAVEL. WE WANTED TO BE ABLE TO  
5       HUNT. AND WE WANT TO BE ABLE -- WE WANTED TO  
6       TRY TO PROTECT AS MUCH AREA AS WE COULD FOR  
7       ALL TYPES OF RECREATION FOR THE OTHER PEOPLE  
8       THAT DO OTHER THINGS OUT THERE.

9               OF COURSE, WE DO GO OUT THERE AND  
10      TAKE DRIVES. USUALLY DO A LOT OF THINGS. BUT  
11      WE ALSO DO A LOT OF HUNTING. OUR GROUP DOES.

12              OF COURSE, THIS PLAN HAS A LOT MORE  
13      IN IT THAN JUST THE PREFERRED ALTERNATIVE. WE  
14      ARE IN FAVOR OF THE PREFERRED ALTERNATIVE.

15              WE DON'T THINK WE GOT EVERYTHING  
16      THAT WE WANTED. THERE WAS A LOT OF GIVE AND  
17      TAKE.

18              WE WERE ABLE TO RETAIN THE OPEN WASH  
19      AREAS THAT WE CONSIDERED WERE VERY IMPORTANT.  
20      THERE IS A LOT OF OPEN WASH AREA OUT THERE.

21              AND I THINK AFTER THIS LAST HUNTING  
22      SEASON YOU ARE GOING TO SEE A LOT OF TIRE  
23      TRACKS IN THE WASHES.

24              BUT YOU HAVE TO REALIZE THAT THIS IS  
25      ONE OF THE BUSIEST TIMES OF THE YEAR.

1                   AND AS FAR AS DAMAGE IS CONCERNED, I  
2           THINK THERE IS MINIMAL DAMAGE OUT THERE.

3                   AS FAR AS PROTECTION FOR TORTOISES,  
4           I DON'T THINK THAT -- AND WE DON'T THINK THAT  
5           VEHICULAR TRAFFIC IS THAT DETRIMENTAL TO THE  
6           TORTOISE POPULATION.

7                   I AM LOOKING AT MY NOTES HERE.

8                   LIKE I SAY, WE DIDN'T GET EVERYTHING  
9           WE WANTED. THERE ARE A LOT OF LITTLE THINGS  
10          IN THE PLAN.

11                  YOU KNOW, IF YOU HAVE DOGS OUT THERE  
12          YOU ARE SUPPOSED TO HAVE DOGS ON A LEASH.

13                  IF YOU ARE TRAVELING IN WASHES YOU  
14          HAVE GOT TO BE CAREFUL THAT YOU ARE NOT  
15          TRAVELING IN AREAS WHERE THERE IS SPADE FOOT  
16          TOADS. AND A LOT OF THESE OTHER THINGS.

17                  AND THERE IS RAPTORS. PROTECTION  
18          FOR THE RAPTORS. DON'T DRIVE WITHIN SO MANY  
19          FEET, YARDS, PORTIONS OF MILES WITHIN RAPTOR  
20          NESTS. AND OTHER THINGS OUT THERE.

21                  BUT ON THE WHOLE WE HAVE A GOOD  
22          PLAN. WE DID A LOT OF WORK. I APPRECIATE ALL  
23          THE WORK THAT THE STAFF OF BLM DID. AND IT  
24          WAS A LARGE STAFF.

25                  WE WENT TO MEETINGS UP THERE IN



1 RIVERSIDE FOR OVER TWO YEARS. AND THEY WORKED  
2 VERY HARD. THERE WERE MAPS AND MAPS AND MAPS.  
3 YOU COULDN'T BELIEVE HOW MANY MAPS WE LOOKED  
4 AT.

5 BUT WE DID FIND OUT THAT DATA DID  
6 NOT SUPPORT ADDITIONAL WASH CLOSURES. THAT  
7 THE DATA DOES NOT SHOW ANY EVIDENCE OF DAMAGE  
8 CAUSED BY ARTIFICIAL WATERERS.

9 AND SO IN THE PLAN WE WERE ASKED TO  
10 PLOT AS MANY ADDITIONAL WATERERS AS WE THOUGHT  
11 WERE NECESSARY TO PROTECT THE WILDLIFE.

12 AND MOST OF THE WILDLIFE, IF YOU  
13 TALK TO PEOPLE THAT ARE AGAINST THE WATERERS,  
14 THAT DON'T SUPPORT THE WATERERS, THEY THINK  
15 THAT WE ARE JUST PUTTING WATERERS OUT THERE  
16 FOR GAME ANIMALS.

17 WE HAVE PHOTOS, WE HAVE TAKEN --  
18 LAST YEAR WE TOOK OVER 2,100 NIGHT PHOTOS  
19 USING INFRARED BEAMS AND REGULAR CAMERAS WITH  
20 FLASH.

21 WE HAVE ALL KINDS OF ANIMALS COMING  
22 IN TO DRINK. WE PROBABLY HAVE 25 SPECIES  
23 COMING IN TO USE THE WATERERS. WE THINK THE  
24 WATERERS ARE GOOD FOR ALL ANIMALS.

25 WITHOUT ARTIFICIAL WATERERS OUR

1       SHEEP POPULATION COULD NOT SURVIVE. WE ARE  
2       ALREADY HAVING PROBLEMS WITH THE SHEEP. WE  
3       COULD LOSE THE HERD THAT WE HAVE IN THE EAST  
4       CHOCOLATES RIGHT NOW BECAUSE OF LACK OF WATER.

5               AND, OF COURSE, THE BURROS. WE ARE  
6       NOT SATISFIED WITH WHAT THE PLAN HAS IN HERE  
7       FOR BURRO POPULATIONS.

8               BUT WE DO REALIZE THAT WE HAVE THE  
9       WILD HORSE AND BURRO ACT AND THERE IS A  
10      CERTAIN POPULATION THAT APPARENTLY HAS TO BE  
11      SUPPORTED OUT THERE.

12              WE JUST HOPE THAT BLM WILL -- IN  
13      THEIR ATTEMPTS WILL BE ABLE TO HOLD THE  
14      POPULATION DOWN TO THE AMOUNT THAT WE HAVE IN  
15      THE PLAN.

16              OTHER THAN THAT, IF YOU HAVE ANY  
17      QUESTIONS I WILL ANSWER QUESTIONS, IF I HAVE  
18      TIME.

19              AND I WILL TURN IT OVER TO THE NEXT  
20      SPEAKER IF THERE ARE NO QUESTIONS.

21              ILENE ANDERSON: ARE THERE ANY  
22      QUESTIONS FOR HIM?

23              ROY DENNER: THANK YOU.

24              I HEARD YOU MAKE THE STATEMENT THAT  
25      VEHICLE USE HAS NOT BEEN SHOWN AS AN IMPACT ON

1 THE DESERT TORTOISE? DID YOU SAY SOMETHING TO  
2 THAT EFFECT?

3 NORM WUYTENS: YES, I DID.

4 ROY DENNER: YET THE BLM HAS CLOSED  
5 25,600 ACRES OF CAMPING RECENTLY IN ORDER TO  
6 PROTECT THE DESERT TORTOISE.

7 NORM WUYTENS: THEY HAVE CLOSED IT  
8 BECAUSE THIS IS PART OF THE RECOVERY PLAN. WE  
9 STILL MAINTAIN THAT VEHICULAR USE -- THERE IS  
10 NO DATA THAT CAN BE SHOWN THAT IT IS  
11 DETRIMENTAL.

12 WE HAVE GONE OUT AND COLLECTED  
13 TORTOISE SHELLS NOW FOR THE PAST ALMOST YEAR,  
14 BECAUSE WE WERE HEARING REPORTS THAT SOME OF  
15 THE TORTOISES WERE BEING RUN OVER AND SOME  
16 WERE BEING SHOT.

17 I FORGET HOW MANY TORTOISE SHELLS WE  
18 HAVE NOW, BUT IT'S SEVERAL HUNDRED. NOT ONE  
19 OF THEM IS SMASHED AND NOT ONE OF THEM HAS A  
20 BULLET HOLE IN IT.

21 (AUDIENCE APPLAUSE.)

22 BILL BETTERLY: I HAVE A QUESTION.

23 IN YOUR STUDY YOU DIDN'T MENTION IT,  
24 BUT DO YOU HAVE ANY BACKGROUND ON THE CATTLE  
25 INDUSTRY AND HOW THEY AFFECT THE TORTOISE?

1                   NORM WUYTENS: NO, I AM SORRY, WE  
2                   REALLY DON'T. WE DO A LOT OF THINGS, BUT WE  
3                   DON'T OWN CATTLE.

4                   BOB ELLIS: HI. LET'S SEE. I GUESS  
5                   I HAVE A QUESTION.

6                   FIRST OF ALL, MOST OF THE AREA THAT  
7                   YOU ARE TALKING ABOUT IS THE TRIANGULAR AREA  
8                   OF THE -- SOUTH OF I-10 AND THE CHUCKWALLA  
9                   BENCH AREA, MILPITAS WASH. THAT AREA, IS THAT  
10                  WHERE YOU PRIMARILY STUDIED AND DEALT WITH THE  
11                  WASH ISSUES AND THE WATERERS?

12                  NORM WUYTENS: YES, BOB. WE ARE NOT  
13                  VERY FAMILIAR WITH ANYTHING NORTH OF I-10.  
14                  AND, YOU KNOW, AS A COOPERATOR I AM SORRY TO  
15                  SAY THAT WE COULDN'T ADDRESS ANYTHING UP  
16                  THERE.

17                  BOB ELLIS: UH-HUH.

18                  NORM WUYTENS: AND MAYBE SHOULD HAVE  
19                  BEEN ABLE TO. BUT, YEAH, SOUTH OF I-10 AND  
20                  ALL THE WAY DOWN TO INTERSTATE 8.

21                  BOB ELLIS: OKAY. SO WHEN WE WERE  
22                  OUT ON THE TOUR YESTERDAY WE GOT OVER TO  
23                  MILPITAS WASH AND GOT A NICE TOUR AND LEARNED  
24                  HOW THE WATER -- AT LEAST THE NEW WATER  
25                  SOURCES WOULD WORK IF YOU BEGIN TO PUT MORE OF

1       THESE DRINKERS, AS YOU DEFINE THEM, NOW IN.

2               I GUESS I WONDER IF YOU COULD  
3       COMMENT FOR ME THAT ON THE -- WELL, SOME OF  
4       THE CONSIDERATIONS THAT YOU CONSIDERED WHEN  
5       YOU TALK AND IN EFFECT FEEL THAT THERE IS NO  
6       DAMAGE TO THE TORTOISE THERE.

7               I MEAN, IT IS DEFINED BY FISH AND  
8       WILDLIFE AS CRITICAL HABITAT. AND I GUESS I  
9       AM TALKING MILPITAS WASH AND CHUCKWALLA BENCH  
10      AREA. AND THE BLM, OF COURSE, HAS DESIGNATED  
11      IT AS A DWMA, MEANING THAT IT SHOULD HAVE  
12      SPECIAL MANAGEMENT.

13              WE SEE TORTOISE BURROWS HERE AND  
14      THERE. AND A COUPLE OF US TOOK A TRIP THROUGH  
15      THERE IN THE LAST FEW DAYS.

16              SO WE DID NOTICE, AS YOU SAY, A LOT  
17      OF VEHICLE TRACKS IN THE WASH. AND I GUESS  
18      IT'S THE CLOSE OF HUNTING SEASON. A LOT OF  
19      PEOPLE HAVE TAKEN ADVANTAGE OF THE OPEN WASH  
20      POLICY THAT EXISTS NOW FOR THE AREA OUTSIDE OF  
21      THE CHUCKWALLA BENCH ACEC.

22              WE ALSO NOTICED A LOT OF WASH TRAVEL  
23      OR A CERTAIN AMOUNT OF WASH TRAVEL IN THE  
24      WASHES IN WHAT'S NOW THE CHUCKWALLA BENCH ACEC  
25      AND A LITTLE BIT OF OUT-OF-THE-WASH TRAVEL, AS

1 WELL.

2 SO WE DIDN'T THINK -- WELL, I CAN'T  
3 SPEAK FOR EVERYONE. IT DIDN'T LOOK LIKE  
4 THERE'S A TREMENDOUS AMOUNT OF USE GOING ON.

5 AND I GUESS THE LARGE CONCERN THAT I  
6 HAVE ABOUT THE OPEN WASH POLICY IS I THINK  
7 THINGS WILL INCREASE. THAT IN THE NEXT 20  
8 YEARS, WHICH WE ARE PLANNING FOR, THERE IS  
9 GOING TO BE MORE PEOPLE OUT THERE AND MORE  
10 USE.

11 COULD YOU COMMENT ON THAT?

12 NORM WUYTENS: IS THAT PART OF MY  
13 TIME?

14 I AM SORRY, BOB, I AM KIDDING.

15 YES, I CAN.

16 AND SO WHAT YOU ARE SUGGESTING IS  
17 THAT WE SHOULD HAVE MORE AREA; IS THAT RIGHT?  
18 BECAUSE THE POPULATION IS INCREASING AND  
19 THERE'S GOING TO BE MORE VEHICLES?

20 (AUDIENCE APPLAUSE.)

21 BOB ELLIS: WELL, NO, I AM  
22 SUGGESTING THAT WE HAVE AN AREA. THE FISH AND  
23 WILDLIFE SERVICE IS SAYING, GEE, IT'S A  
24 TORTOISE HABITAT. WE SHOULD BE LIMITING MOTOR  
25 VEHICLE ACCESS.

1                   AND YOU ARE SUGGESTING THAT, NO,  
2           IT'S JUST FINE NOW AND THAT WE SHOULDN'T WORRY  
3           ABOUT THINGS THE WAY THEY ARE.  AND, IN FACT,  
4           ACCORDING TO THE PREFERRED PLAN, ACTUALLY OPEN  
5           UP MORE WASHES THAN ARE CURRENTLY OPEN.  SO --

6                   NORM WUYTENS:  YES.  YOU KNOW, THE  
7           CHANGE IN THE AREA IS NOT A WHOLE LOT.  BUT,  
8           YES, THERE ARE SOME MORE WASHES THAT HAVE BEEN  
9           OPENED.

10                  BUT WHAT I AM SAYING, BOB, IS I  
11           REALIZE THAT THERE IS THE TORTOISE RECOVERY  
12           PLAN.  BUT IF VEHICLE TRAVEL IS NOT DOING ANY  
13           DAMAGE, WHY RESTRICT VEHICULAR TRAVEL.

14                  AND WE HAVE ONE SEASON, WHICH IS THE  
15           HUNTING SEASON, THAT IT'S EXCEPTIONALLY HEAVY  
16           OUT THERE.

17                  FROM NOW ON YOU WON'T SEE ONE-TENTH  
18           OF THE AMOUNT OF TRAVEL OUT THERE THAT HAS  
19           JUST TAKEN PLACE OVER THE LAST MONTH.  AND  
20           THERE -- DURING THE SUMMER WE HAVE NONE.

21                  SO CAN WE AVERAGE IT OUT OR DO WE  
22           HAVE TO -- DO WE HAVE TO USE THE CONCENTRATION  
23           OF TRAVEL AT ONE PARTICULAR TIME?

24                  BOB ELLIS:  WELL, I DON'T HAVE AN  
25           ANSWER TO THAT.  I AM PRIMARILY WONDERING HOW

1       -- I DON'T KNOW HOW FISH AND WILDLIFE, YOU  
2       KNOW, DOES THAT, EITHER.

3               PRESUMABLY THEY ARE LOOKING AT WHAT  
4       THEY FEEL ARE -- THEY FEEL IS THE NEED TO  
5       REDUCE VEHICULAR IMPACT IN THESE AREAS WHERE  
6       THE TORTOISE ARE ATTEMPTING TO RECOVER.

7               SO I DON'T KNOW, YOU KNOW. I DON'T  
8       KNOW THE ANSWER, EITHER, YOU KNOW.

9               NORM WUYTENS: NO. AND IT'S RATHER  
10       DIFFICULT. BECAUSE WHEN YOU SAY "REDUCE THE  
11       IMPACT," I DON'T KNOW EXACTLY WHAT "REDUCE THE  
12       IMPACT" MEANS.

13               WE FEEL THAT THERE IS NO DETRIMENTAL  
14       IMPACT. IF THERE IS ANY DETRIMENTAL IMPACT  
15       WE -- TO OUR KNOWLEDGE, IT'S VERY, VERY  
16       LITTLE.

17               YES, THERE IS SOME TRAVEL OUTSIDE  
18       THE WASHES. I DON'T KNOW. WE CAN'T CONTROL  
19       EVERYBODY.

20               IT'S JUST LIKE THE SAND DUNES.  
21       THERE ARE -- THERE IS A CERTAIN PERCENTAGE OF  
22       THE POPULATION THAT WILL NOT OBEY THE RULES.  
23       AND SOMEHOW OR OTHER THEY HAVE -- I MEAN, THEY  
24       HAVE TO BE CONTROLLED. THE REST OF US ARE  
25       TRYING TO CONTROL OURSELVES.



1                   ROY DENNER:  AT THE LAST DESERT  
2   ADVISORY COUNCIL MEETING WE HAD A PRESENTATION  
3   BY SOMEONE CONSIDERED TO BE A FOREMOST  
4   TORTOISE EXPERT DR. KRISTIN BERRY.

5                   DR. BERRY GAVE A COMPREHENSIVE  
6   PRESENTATION.  AND IN THE EARLY STAGES OF THAT  
7   PRESENTATION SHE IDENTIFIED WHAT SHE, AND  
8   PRESUMABLY THE BIOLOGICAL COMMUNITY,  
9   CONSIDERED TO BE THE MAJOR THREATS TO THE  
10  RECOVERY OF THE DESERT TORTOISE.

11                  LISTED I THINK ABOUT THE THIRD OR  
12  FOURTH ITEM ON THERE WAS OHV USE.

13                  DR. BERRY EVEN SHOWS A SLIDE OF A  
14  TORTOISE DEPICTED THAT HAD BEEN RUN OVER BY A  
15  VEHICLE WHOSE SHELL WAS CRUSHED.

16                  NOW, IF YOU LOOK AT THE TRACKS IT  
17  LOOKED LIKE AN EARTH MOVER OR SOMETHING, NOT A  
18  JEEP OR AN OHV THAT I AM FAMILIAR WITH.

19                  AND SHE ALSO INDICATED THAT  
20  TORTOISES ALSO HAVE BURROWS IN THE CENTERS OF  
21  THE WASHES.  IN THE SOFT SAND IN THE CENTERS  
22  OF THE WASHES.  THEREFORE, VEHICLES SHOULD BE  
23  RESTRICTED FROM RUNNING IN WASHES.

24                  AS A PERSON WHO HAS BEEN OUT THERE  
25  ON THE GROUND, YOU KNOW, HOW DO YOU RECONCILE

1 YOUR COMMENT THAT VEHICLE USE IS NOT IMPACTING  
2 THE DESERT TORTOISE WHEN THE BLM'S FOREMOST  
3 EXPERT SAYS IT'S ONE OF THE MAJOR THREATS?

4 NORM WUYTENS: WELL, I MET DR. BERRY  
5 ONE TIME. AND I AM SORRY TO SAY -- I DO KNOW  
6 THAT SHE IS A REPUTABLE BIOLOGIST. BUT IN MY  
7 ESTIMATION SHE IS NOT A GOOD REPUTABLE  
8 BIOLOGIST.

9 (AUDIENCE APPLAUSE.)

10 DESERT TORTOISES DO NOT DIG BURROWS  
11 IN THE CENTER OF WASHES, IN THE MIDDLE OF  
12 WASHES.

13 DESERT TORTOISES ARE NOT STUPID  
14 ANIMALS. DESERT TORTOISES DIG BURROWS IN THE  
15 BANKS ALONG THE EDGES.

16 AND THEY DO HAVE SEVERAL BURROWS.  
17 EACH TORTOISE MIGHT HAVE SEVERAL BURROWS WHERE  
18 THEY MIGRATE FROM ONE TO THE OTHER DURING  
19 THEIR FEEDING PROCESS.

20 THEY HAVE SOME BURROWS BIGGER THAN  
21 OTHERS. THEY DO NOT HAVE BURROWS IN THE  
22 MIDDLE OF WASHES.

23 NOW, THAT SAND IS SOFT. YOU CAN'T  
24 DIG A BURROW IN THE MIDDLE OF THE WASH.

25 AND HER DESERT TORTOISE COUNTS. WE

1       DON'T AGREE WITH THE COUNTS AT ALL.

2               SHE DISAGREED WITH ME ONE TIME WHEN  
3       I ASKED HER HOW SHE COUNTED. I SAID YOU CAN'T  
4       COUNT THAT MANY. AND SHE SAID I ABSOLUTELY  
5       COUNTED THAT MANY.

6               AND WHEN WE FINALLY FIGURED IT ALL  
7       OUT, NO, THEY COUNT SO MANY IN AN AREA, THEN  
8       THEY EXTRAPOLATE IT UP FOR THE ENTIRE EGG  
9       CREATURE FOR THE ENTIRE AREA.

10              BUT I DON'T THINK A LOT OF HER  
11       FIGURES ARE BEING USED ANYMORE, BECAUSE IT  
12       DOES NOT REFLECT GOOD DATA.

13              ROY DENNER: SO THEN THE NECO PLAN  
14       WHERE -- BECAUSE THE BLM DOES NOT HAVE THE  
15       WHEREWITHAL TO INVENTORY WASHES, ACCORDING TO  
16       THE WAY THE PLAN IS STATED, AND THEY CLOSED  
17       WASHES IN A BLANKET FASHION. WASH ZONES THEY  
18       CALL THEM THAT ARE CLOSED, DUE TO THE  
19       PROTECTION OF THE DESERT TORTOISE.

20              YOU ARE A DEVELOPER OF THIS PLAN AND  
21       THIS IS SOMETHING THAT YOU ARE SATISFIED WITH,  
22       THAT THEY CLOSE WASH ZONES TO PROTECT THE  
23       TORTOISE?

24              NORM WUYTENS: WELL, THIS PLAN DOES  
25       NOT CLOSE ANY ADDITIONAL WASHES OVER AND ABOVE

1       WHAT WAS CLOSED EARLIER.   THE ACEC'S STILL OUT  
2       THERE.   THE DWMA'S STILL OUT THERE.   THE  
3       WILDERNESS AREA IS STILL OUT THERE.

4                WE WANTED SOME MORE AREA OPENED UP.  
5       BUT WE REALIZE THAT EVERYBODY IS GOING TO GET  
6       SOMETHING IN THE PLAN.   THAT WE HAVE TO GIVE  
7       SOMETHING TO EVERY ENTITY THAT IS INTERESTED  
8       IN THE DESERT.

9                AND IT IS A HUGE DESERT.   AND I  
10      THINK THAT WE JUST HAVE TO AGREE THAT  
11      EVERYBODY HAS THEIR OWN PART OF IT.

12              AND IF THERE IS SOMETHING THAT CAN  
13      MAKE THE TORTOISE RECOVER AND IF THEY NEED A  
14      RECOVERY AREA AND IF THEY THINK THAT THIS WILL  
15      WORK, AND 20 YEARS FROM NOW IF THEY GO OUT  
16      THERE AND THEY SEE THAT THE TORTOISE HAS NOT  
17      RECOVERED, MAYBE THEN THEY WILL DECIDE THAT IT  
18      DOES NOT DO ANY GOOD TO CLOSE WASHES.   THAT  
19      MAYBE IT WAS NOT THE CORRECT THING TO DO.

20              WE KNOW WHAT'S CAUSING THE DECLINE.  
21      WHAT'S CAUSING THE DECLINE IS TWO DISEASES  
22      THAT ARE OUT THERE.   VIRAL DISEASES THAT'S  
23      KILLING THE TORTOISES.   THEY MIGHT ALL DIE.

24              I LIKE TO SEE TORTOISES.   WE SEE  
25      TORTOISES WHEN WE ARE OUT THERE DRIVING.   I

1        THINK THEY ARE KIND OF NEAT.    HOW SOME ANIMAL  
2        THAT MOVES THAT SLOW CAN MAKE A LIVING IN THE  
3        DESERT.

4                WHETHER OR NOT THEY WILL SURVIVE, I  
5        DON'T THINK WE CAN MAKE OR BREAK THE DESERT  
6        TORTOISE.    THEY ARE GOING TO HAVE TO TAKE CARE  
7        OF THEMSELVES.    AND IF THEY CAN SURVIVE, THEY  
8        WILL.

9                I HOPE THAT ANSWERS YOUR QUESTIONS.

10               ROY DENNER:    YEAH.

11               ILENE ANDERSON:    ANY OTHER  
12        QUESTIONS?

13               BOB ELLIS:    IS THAT YOU, RON?

14               RON KEMPER:    JUST ONE QUESTION.

15               HERE IN THE LOCAL AREA HAVE YOU EVER  
16        HAD LIVESTOCK PRODUCERS, RANCHERS?

17               NORM WUYTENS:    NO.    I HAVE VERY  
18        LITTLE INFORMATION ON GRAZING OUT IN THE  
19        DESERT.    IF THAT'S YOUR QUESTION.    I MEAN, I  
20        RAISED CATTLE MYSELF AT ONE TIME.    BUT NOT ON  
21        RANGE LAND OR PASTURE.

22               RON KEMPER:    I MEAN HISTORICALLY  
23        WERE SOME OF THESE LANDS USED FOR RANCHES?

24               NORM WUYTENS:    YES.

25               RON KEMPER:    AND ARE THERE ANY

1       TODAY?

2                   NORM WUYTENS:  NOT IN WHAT WE  
3       CONSIDER OUR AREA.  NOT SOUTH OF INTERSTATE  
4       10.  THERE ARE STILL SOME GRAZING AREAS OUT  
5       THERE.  THEY ARE HISTORICAL GRAZING AREAS.  
6       AND I ASSUME THEY ARE STILL USED.

7                   RON KEMPER:  THANK YOU.

8                   ILENE ANDERSON:  ANY OTHER  
9       QUESTIONS?

10                  THANK YOU VERY MUCH, MR. WUYTENS.

11                  NORM WUYTENS:  THANK YOU FOR THE  
12       TIME.

13                  ILENE ANDERSON:  OUR NEXT  
14       PRESENTER -- THERE IS A BIT OF A CHANGE IN THE  
15       AGENDA.  AND OUR NEXT PRESENTER IS DR. EDITH  
16       ALLEN.  AND SHE IS A DESERT ECOLOGIST?

17                  EDITH ALLEN:  YES.  THANK YOU.

18                  WELL, THANKS, NORM.  YOU DIDN'T  
19       LEAVE ME MUCH THAT I HAVE TO DO ANYMORE.

20                  I AM A MEMBER OF THE UNIVERSITY OF  
21       CALIFORNIA COOPERATIVE EXTENSION.  AND I HAVE  
22       BEEN WITH THE NECO PLAN.  MY FIRST MEETING  
23       WITH THEM WAS IN 1994.

24                  AND NORM EXPLAINED TO YOU A LITTLE  
25       BIT ABOUT THE COOPERATIVE PROCESS.

1           THERE WERE MORE THAN 14 AGENCIES,  
2       CITIES, COUNTIES REPRESENTED.  THERE WERE ALSO  
3       11 INTEREST GROUPS OF WHICH NORM JUST  
4       DESCRIBED HIS INTEREST GROUP.

5           FOR ME IT WAS RESEARCH AND  
6       EDUCATION.

7           BEING A MEMBER OF THE COOPERATIVE  
8       EXTENSION I HAVE WORKED ON A NUMBER OF  
9       COMMITTEES WHERE -- THAT HAD AN IMPORTANT GOAL  
10      OF REPRESENTING ALL OF THE STAKEHOLDERS.

11          I JUST WOULD LIKE TO LET YOU ALL  
12      KNOW ON THE COUNCIL WHAT A GREAT AND  
13      INTERESTING GROUP OF PEOPLE THIS WAS RIGHT  
14      FROM THE VERY BEGINNING.

15          EVEN THOUGH PEOPLE CAME IN WITH VERY  
16      DIFFERENT POINTS OF VIEWS, DIFFERENT TYPES OF  
17      RECREATIONS, DIFFERENT TYPES OF LAND USES, WE  
18      HAD ALL OF THE LAND USES AND THEN SOME  
19      REPRESENTED THAT ARE ALSO ON YOUR COUNCIL.

20          THAT PEOPLE CAME IN, FIRST OF ALL,  
21      WITH A SPIRIT OF COOPERATION.  IT WAS MOSTLY  
22      VERY AMIABLE.  THAT IS NOT TO SAY THAT WE  
23      DIDN'T HAVE HEATED DISCUSSIONS SOME DAYS.

24          I REMEMBER ONE DAY WE ALL WENT TO  
25      LUNCH AND NOBODY WANTED TO SIT NEXT TO DICK

1 CROWE.

2 I CAN'T REMEMBER WHAT THAT WAS THAT  
3 DAY. BUT WE ALL GANGED UP ON HIM TOGETHER ON  
4 THAT DAY. AND THEN SOMETIMES WE TOOK OPPOSITE  
5 SIDES.

6 BUT AS NORM STARTED TO DESCRIBE,  
7 THERE WEREN'T MANY ADDITIONAL CLOSURES AS A  
8 RESULT OF THE NECO PLAN. NECO EVALUATED WHAT  
9 HAD BEEN DONE PREVIOUSLY. AND A LOT OF THAT  
10 WAS BECAUSE WE HAD GATHERED SUCH GOOD DATA.

11 AND I NEED TO TELL YOU ABOUT THE  
12 WILDLIFE TEAM THAT WAS ASSOCIATED WITH NECO.  
13 A WONDERFUL GROUP, AN INTERAGENCY GROUP, STATE  
14 FISH AND GAME, FISH AND WILDLIFE, THE BLM.

15 THERE WAS INFORMATION FROM THE PLANT  
16 SOCIETY, WHOSE DEPARTMENT COULDN'T BE HERE  
17 TODAY, BUT COULD HAVE TOLD YOU A LITTLE MORE  
18 ABOUT THAT.

19 CALIFORNIA, OF COURSE, PROVIDED  
20 INFORMATION.

21 A GOOD AMOUNT OF THE INFORMATION  
22 THAT THEY NEEDED FOR THIS PLAN WAS NOT  
23 AVAILABLE AND THEY HAD TO GENERATE THAT  
24 INFORMATION.

25 AND SO ONE OF THE BIG PROBLEMS IS



1       THERE HAS NEVER BEEN A GOOD VEGETATION MAP OF  
2       THE NECO PLANNING AREA.

3               AND YOU CAN'T START TO DO ANYTHING  
4       UNTIL YOU HAVE A GOOD MAP ON HAND.  YOU CAN'T  
5       START TO SAY ANYTHING ABOUT WHAT AREAS SHOULD  
6       BE PROTECTED AND WHAT AREAS SHOULD BE USED FOR  
7       OTHER USES.

8               AND THEY WENT OUT WITH A HELICOPTER  
9       AND -- A GPS UNIT AND STARTED MAPPING THE AREA  
10      AND GOT ONE OF THE MOST, YOU KNOW, COMPLETE,  
11      MOST EXTENSIVE DETAILED MAP.

12              THEY WERE ABLE TO SHOW THAT THE  
13      COLORADO DESERT VEGETATION ACTUALLY EXTENDED A  
14      BIT FURTHER NORTH INTO WHAT HAD PREVIOUSLY  
15      BEEN CONSIDERED MOHAVE DESERT.  THAT'S ANOTHER  
16      IMPORTANT CONSIDERATION FOR PLANNING EFFORTS.

17              THEY WERE ABLE TO LOCATE THE  
18      MICROPHYLL WOODLANDS TO A MUCH BETTER EXTENT  
19      THAN HAD EVER BEEN DONE BEFORE.  AND SHOWED  
20      THAT THE MICROPHYLL WOODLANDS WERE ACTUALLY  
21      QUITE LARGE IN EXTENT IN THE COLORADO DESERT.

22              AND HAVING NUMBERS LIKE THAT ALSO  
23      HELPS IN THE PLANNING EFFORT.

24              AND THEN ONCE THEY HAD THAT  
25      INFORMATION THEY DID A VERY CAREFUL JOB OF

1 USING THE EXISTING SPECIES RECORDS.

2 YOU MAY OR MAY NOT BE AWARE, BUT  
3 THERE WERE SOME 60 SPECIES THAT WERE  
4 CONSIDERED SENSITIVE SPECIES THAT WERE  
5 CONSIDERED IN THIS PLAN, IN ADDITION TO THE  
6 DESERT TORTOISE THAT DRIVES THE PLAN.

7 AND THEY WERE ABLE TO CREATE THE  
8 MAPS THAT SHOWS WHERE ALL OF THESE SPECIES  
9 OCCUR.

10 THEY WERE ABLE TO MODEL WHAT WE CALL  
11 THE BIOLOGICAL HOT SPOTS. AND THEN OVERLAY  
12 THIS INFORMATION -- BIOLOGICAL INFORMATION  
13 WITH ALL THE DIFFERENT USER INFORMATION.  
14 OVERLAY THIS INFORMATION TO THE ROADS.

15 AND WHEN THEY OVERLAID IT WITH THE  
16 ROADS THEY FOUND OUT THAT THERE REALLY WAS  
17 ONLY A VERY SMALL AMOUNT OF CONFLICT. SOME  
18 AMOUNT OF THIS CONFLICT COULD BE RESOLVED JUST  
19 BY MOVING SMALL PORTIONS OF ROADS AWAY FROM AN  
20 EXISTING POPULATION THAT WAS SENSITIVE TO THE  
21 PLAN.

22 WE HAD DISCUSSION OF SEASONAL  
23 CLOSURES IN SOME AREAS SO THAT THE DESERT  
24 WILDLIFE MANAGEMENT AREAS WERE ACTUALLY AREAS  
25 THAT ARE STILL OPEN TO VEHICULAR USE, WITH

1 SOME RESTRICTIONS.

2 SO AGAIN, I WOULD LIKE TO GIVE YOU  
3 MY ADMIRATION TO THE WILDLIFE TEAM FOR ALL THE  
4 INFORMATION THAT THEY PUT TOGETHER.

5 AND AGAIN MY ADMIRATION FOR THE  
6 VARIOUS COOPERATORS.

7 AND THEN ALSO FOR THE LEADERS OF  
8 THIS.

9 BECAUSE IT REALLY WAS A VERY -- I  
10 WOULD CALL IT A VERY UPLIFTING EXPERIENCE  
11 BECAUSE OF THE WAY IT CAME OUT IN THE END. IT  
12 WAS MUCH MORE AGREEMENT IN THE END THAN  
13 DISAGREEMENT.

14 THANK YOU.

15 ILENE ANDERSON: ANY QUESTIONS?

16 ROY DENNER: HI, IT'S ME AGAIN.

17 IN YOUR INTRODUCTORY REMARKS YOU  
18 SAID SOMETHING TO THE EFFECT THAT THERE HAVE  
19 BEEN NO SIGNIFICANT NEW CLOSURES PROPOSED  
20 WITHIN THE NECO PLAN, SOMETHING TO THAT  
21 EFFECT. IS THAT RIGHT?

22 EDITH ALLEN: THREE PERCENT  
23 ADDITIONAL ROAD CLOSURES BECAUSE OF THE NECO  
24 PLAN WE PROPOSED. THAT'S MY UNDERSTANDING OF  
25 THE FINAL DOCUMENT.

1                   ROY DENNER:  ARE YOU AWARE THAT THE  
2       NECO PLAN PROPOSES TO CLOSE THE FORD DRY LAKE  
3       OHV AREA, THE RICE VALLEY DUNES OHV AREA, THE  
4       PALEN DUNES OHV AREA, THE FORD DUNES OHV AREA  
5       AND THE PALEN DRY LAKE OHV AREA?  MANY OF  
6       THESE DUNES AREAS ARE BEING CLOSED BECAUSE OF  
7       VERY LITTLE USE, IN SPITE OF THE FACT THAT WE  
8       ARE BEING PRESSURED OUT OF OTHER DUNES AREAS?

9                   EDITH ALLEN:  WELL, I GUESS THAT  
10      FALLS UNDER THE THREE PERCENT.  I DON'T KNOW.

11                  ROY DENNER:  NOT SIGNIFICANT TO THE  
12      BLM.

13                  EDITH ALLEN:  YOU WILL HAVE TO GET  
14      THAT INFORMATION FROM THE BLM.

15                  RON KEMPER:  I MAY HAVE  
16      MISUNDERSTOOD.  AND I APOLOGIZE IF I DID.

17                  WHEN YOU WERE TALKING ABOUT  
18      CLOSURES, I BELIEVE YOU WERE TALKING ABOUT  
19      CLOSURES OF ROADS.

20                  EDITH ALLEN:  THAT'S RIGHT.

21                  RON KEMPER:  SO THE DUNES AREAS THAT  
22      MR. DENNER HAS MENTIONED WOULD NOT BE INCLUDED  
23      IN THAT STUDY BECAUSE THEY ARE NOT ROADS; IS  
24      THAT CORRECT?

25                  EDITH ALLEN:  I WAS TALKING ABOUT

1 CLOSURES OF ROADS, YES. SO THAT'S POSSIBLE,  
2 YEAH.

3 RON KEMPER: SO THE THREE PERCENT  
4 WOULDN'T APPLY TO THE DUNES AREAS THAT HE  
5 MENTIONED; WE ARE JUST TALKING ABOUT ROADS.

6 EDITH ALLEN: I THINK THAT'S RIGHT.  
7 YEAH. THAT'S POSSIBLE.

8 RON KEMPER: THANK YOU.

9 EDITH ALLEN: SO I COULDN'T COMMENT  
10 ON THAT.

11 RANDY RISTER: MADAM CHAIR, IF I  
12 MIGHT ADD.

13 TO CLARIFY I THINK WHAT ROY IS  
14 ALLUDING TO IS, WE TRIED TO LOOK AT ALL THE  
15 EXISTING ROUTES OF TRAVEL IN AN ECO AREA.

16 AND AS INDICATED, NOT ONLY THE  
17 MICROPHYLL WOODLANDS, BUT THOSE ROUTES WERE  
18 DRIVEN. GROUND VIEW, GPS AND PARALLEL ROUTES.

19 ROUTES THAT WERE UNNECESSARY WERE  
20 THOSE ROUTES THAT WERE LOOKED AT AS POSSIBLE  
21 FOR BEING CLOSED.

22 WHAT ROY IS REFERRING TO, THOUGH, IS  
23 HISTORIC OHV AREAS.

24 AND JIM STRAIN INDICATED YESTERDAY  
25 BASICALLY THE GEM AND MINERAL SOCIETY HAD TO

1 TAKE SPECIAL ACTION IN ORDER TO KEEP THE  
2 HAUSER GEODE BEDS OPEN.

3 AND THE OHV COMMUNITY IS TRYING TO  
4 DO THE SAME THING.

5 BUT THE OHV COMMUNITY, AS ROY HAS  
6 INDICATED IN THE PAST, THEIR CONCERN IS THAT  
7 IF AN AREA IS UNDERUTILIZED -- AND THE TERM  
8 "UNDERUTILIZED" IS, BY SOMEONE'S DEFINITION,  
9 NOT ENOUGH PEOPLE ARE USING IT -- IT SEEMS  
10 THAT SOME OF THOSE AREAS GET CLOSED.

11 IF AN AREA IS OVERUTILIZED, LIKE WE  
12 SAW AT GLAMIS YESTERDAY, BECAUSE OF  
13 COMPACTION, CLOSURE OF OTHERS AREAS THAT MAY  
14 BE UNDERUTILIZED FORCING PEOPLE INTO  
15 COMPACTION AREAS, THEN WE TALK ABOUT CLOSURE.

16 SO IT'S ONE OF THOSE THINGS YOU ARE  
17 ALMOST DAMMED IF YOU DO AND DAMMED IF YOU  
18 DON'T. IF IT'S UNDERUTILIZED IT MAY GET  
19 CLOSED. IF IT'S OVERUTILIZED IT MAY GET  
20 CLOSED.

21 AND THE NECO PLAN ON THE ROUTES  
22 TRIES TO ADDRESS PARALLEL ROUTES OR  
23 UNNECESSARY ROUTES.

24 BUT THERE IS ISSUES STILL REMAINING  
25 ABOUT OHV RECREATION THAT DOES IMPACT

1       SOMETHING LIKE THE TORTOISE.

2                   AND AS NORM INDICATED, THE STUDIES  
3       THAT ARE GOING ON NOW DO NOT SHOW TORTOISE  
4       THAT ARE BEING RAN OVER.  THEY DO NOT SHOW  
5       THAT TORTOISES ARE BEING SHOT.  THEY SHOW  
6       TORTOISES ARE DYING OF DISEASE.

7                   I DON'T SEE THAT VEHICLE TRAFFIC IS  
8       BRINGING THAT DISEASE TO THE TORTOISES.  BUT  
9       NEVERTHELESS THERE IS SOME -- WHAT APPEARS TO  
10      BE SOME CLOSURES AND SOME ISSUES BEING  
11      CONDUCTED UNDER THE GUISE POSSIBILITY OF  
12      SAVING THE TORTOISE WHICH REALLY DON'T HAVE  
13      ANY EFFECT ON THE TORTOISE.

14                   (AUDIENCE APPLAUSE.)

15                   RON KEMPER:  IF I UNDERSTAND THE  
16      METHODOLOGY, IF THE DEVELOPMENT AREA WASN'T  
17      BEING VISITED OFTEN ENOUGH BY BACKPACKERS THEY  
18      WOULD CLOSE THE BACKPACKERS?

19                   (AUDIENCE APPLAUSE.)

20                   BOB ELLIS:  I WAS WONDERING IF YOUR  
21      STUDIES THEN FOUND OR YOUR REVIEW OF STUDIES  
22      THEN FOUND THAT THERE WAS A PROPER --  
23      BASICALLY THAT THE MANAGEMENT OF LET'S SAY THE  
24      CHUCKWALLA BENCH ACEC WAS SUFFICIENTLY  
25      PROTECTIVE OF THE SPECIES THAT EXIST THERE

1 NOW?

2 EDITH ALLEN: I CAN'T SAY THAT.

3 BOB ELLIS: SO, I MEAN, BECAUSE THE  
4 PREFERRED PLAN IS ACTUALLY REDUCING SOME OF  
5 THE PROTECTION THAT IS IN PLACE. AND I WAS  
6 WONDERING IF YOU FELT THAT THAT WAS A CORRECT  
7 THING TO DO BASED ON YOUR PROFESSIONAL --

8 EDITH ALLEN: IT WASN'T A  
9 CONTROVERSIAL DISCUSSION. IT WENT UP ON THE  
10 BOARD. IT WENT UP ON THE MAP. AND EVERYONE  
11 ON BOTH SIDES SEEMED TO BE SATISFIED WITH  
12 THAT.

13 SO THAT THE PEOPLE WHO KNOW THE  
14 CHUCKWALLA BENCH WHO WERE THERE WERE -- SEEMED  
15 TO BE SATISFIED WITH THAT ALTERNATIVE.

16 BOB ELLIS: SO THAT WASN'T YOUR AREA  
17 OF EXPERTISE THEN?

18 EDITH ALLEN: NO. I DON'T KNOW THE  
19 CHUCKWALLA BENCH VERY WELL. NO, I CAN'T  
20 ANSWER SPECIFICS ON THE GROUND THERE.

21 RANDY RISTER: WELL, WHAT WE FOUND  
22 ON THE GROUND AT THE CHUCKWALLA BENCH WAS  
23 PRIMARILY THAT THE ACEC DID NOT GO THROUGH THE  
24 PROPER NOTIFICATION, REGULATION, SIGNAGE AND  
25 CLOSING PROCEDURES. SO THE ORIGINAL OUTLINE



1 WAS CLOSED IMPROPERLY OR ILLEGALLY.

2 WHEN WE CAME BACK AND LOOKED AT HOW  
3 THAT CLOSURE SHOULD BE DONE AND ADDRESSED THE  
4 VEHICLE USE IN THAT, WE DID NOT SEE THE IMPACT  
5 OF THE VEHICLE USE IN THE WASHES NEGATIVELY  
6 AFFECTING THE TORTOISES. PEOPLE WEREN'T  
7 RUNNING OVER TORTOISES.

8 SO BASICALLY WHAT HAPPENED IS THE  
9 CURRENT BOUNDARY OF THE ACEC HAS BEEN DRAWN  
10 BACK TO WHAT IT WAS ORIGINALLY INTENDED TO BE  
11 AND THE BLM HAS GONE THROUGH THE PROPER  
12 NOTIFICATION, THE SIGNAGE AND THE VARIOUS  
13 PROCEDURES THAT WEREN'T CONDUCTED ON THE FIRST  
14 CLOSURE.

15 SO I THINK THAT'S PROBABLY WHY THE  
16 BOUNDARY HAS BEEN PULLED BACK.

17 BUT AGAIN, IT WAS LOOKED AT AS DID  
18 DRIVING THE WASHES NEGATIVELY IMPACT THE  
19 TORTOISES.

20 I THINK THE DECISION WAS, NO, IT  
21 DIDN'T. THERE WAS NO CLEAR INDICATION THAT  
22 THAT WAS CAUSING THE DEMISE OF THE TORTOISES.

23 AND AGAIN, IF THE CHUCKWALLA BENCH  
24 POPULATION IS SUFFERING FROM THE BONE DISEASE  
25 RATHER THAN THE UPPER RESPIRATORY TRACT

1 DISEASE, IT IS IN THE MOHAVE POPULATION.

2 JIM REDDY: IS THIS ON?

3 I WOULD LIKE TO COMMENT ABOUT YOUR  
4 TERM. I THINK THAT'S SORT OF A PREJUDICIAL  
5 TERM TRYING TO REDUCE THE LEVEL OF PROTECTION.

6 IF WE ARE DOING A STUDY LIKE WITH  
7 NECO OR NEMO, WE SHOULD GO TO THE BUSINESS OF  
8 ZERO BASED BUDGETING. YOU SHOULDN'T START  
9 WITH WHERE YOU ARE IF YOUR REAL OBJECTIVE IS  
10 TO DETERMINE THE PROPER LEVEL OF PROTECTION.

11 SO JUST BECAUSE YOU OPEN AN AREA  
12 DOESN'T MEAN YOU REDUCE THE LEVEL OF  
13 PROTECTION. IT MIGHT MEAN YOU WENT TO THE  
14 PROPER LEVEL OF PROTECTION.

15 IT'S A VERY PREJUDICIAL TERM THEY  
16 REDUCE BECAUSE WE OPEN AN AREA.

17 I THINK ITS THE SAME POINT.  
18 SOMEBODY MADE THE COMMENT EARLIER. THEY  
19 WANTED TO KNOW HOW THE MINING INDUSTRY CAN BE  
20 MITIGATED IF WE CAN'T MOVE OUR MINE.

21 NO, WE CAN'T MOVE OUT MINE. BUT IF  
22 YOU CLOSE AN AREA IT'S QUITE POSSIBLE THAT  
23 ANOTHER AREA COULD BE OPENED. WHICH WOULD  
24 MITIGATE MINERAL EXPLORATION IN THAT EXAMPLE  
25 OR RECREATION OR SOMETHING ELSE.

1                   BUT I THINK WHAT WE ARE LOOKING FOR  
2           IN THESE PLANS IS THE PROPER LEVEL OF  
3           PROTECTION.

4                   YOUR STATEMENT IMPLIED THAT WE HAD A  
5           MINIMAL LEVEL ALREADY AND THAT ANY CHANGE FROM  
6           THAT NECESSARILY WAS DETRIMENTAL.

7                   MAYBE YOU WERE OVERPROTECTING BEFORE  
8           AND WE SHOULD TRY TO FIND OUT WHAT THE PROPER  
9           LEVEL OF PROTECTION IS.

10                   (AUDIENCE APPLAUSE.)

11                   BOB ELLIS: I GUESS IT'S TRUE THAT I  
12           DO LOOK AT IT LARGELY FROM WHERE WE ARE NOW.

13                   AND I THINK IN PART BECAUSE THE PLAN  
14           IS AN ATTEMPT TO PROVIDE ADDITIONAL PROTECTION  
15           FOR THE DESERT TORTOISE.

16                   AND SO THERE WE ARE, YOU KNOW.

17                   WE DON'T REALLY KNOW THE ANSWERS  
18           HERE. AND I DON'T THINK FISH AND WILDLIFE  
19           KNOWS THEM COMPLETELY, EITHER.

20                   BUT THEY ARE TRYING TO PUT SOMETHING  
21           IN PLACE WHICH WILL BE MORE PROTECTIVE THAN  
22           WHAT'S NOW.

23                   SO THAT'S THE SORT OF MIXTURE.

24                   JIM REDDY: CARRYING ON, IT MAY BE  
25           POSSIBLE IF YOU CLOSE ONE AREA -- IF YOU

1       CLOSED ALL THE OHV AREAS THAT ROY MENTIONED,  
2       IF YOU CLOSE ANOTHER THREE PERCENT OF THE ROAD  
3       VEHICLE AREAS ON THE ROADS RIGHT NOW, MAYBE  
4       THOSE WERE MORE PROPER AREAS TO CLOSE.

5                AND I DON'T MEAN THAT EXACTLY. I AM  
6       USING THAT AS AN EXAMPLE.

7                MAYBE THEY DECIDED SOME AREAS WERE  
8       MORE PROPER. SOME AREAS THAT HAD BEEN CLOSED  
9       WERE NOT NECESSARY AND WERE IMPROPERLY CLOSED  
10      IN THE FIRST PLACE.

11              MANY OF THOSE AREAS WERE STUDY  
12      AREAS. THEY DIDN'T KNOW. MAYBE ON FURTHER  
13      REFLECTION AND FURTHER STUDY IT WAS SAID,  
14      WELL, WE OUGHT TO CLOSE A LITTLE BIT OF THIS,  
15      BUT WE CAN OPEN UP THAT, BECAUSE IT ISN'T SO  
16      IMPORTANT.

17              I MEAN, YOU HAVE TO KEEP THAT AS AN  
18      OPEN MIND.

19              IF WE ARE REALLY LOOKING AT AN  
20      OBJECTIVE STUDY, THEN OBJECTIVELY SOMETIMES  
21      YOU WERE TOO CONSERVATIVE IN THE FIRST PLACE.

22              PARTICULARLY IF THEY WERE CALLED  
23      STUDY AREAS. BY THE VERY DEFINITION OF THE  
24      WORD "STUDY AREA" IT MEANS YOU DIDN'T KNOW.  
25      YOU ARE LOOKING INTO IT.

1                   SO I THINK WE HAVE TO KEEP AN OPEN  
2 MIND AND NOT JUST GENERALLY SAY EVERYTHING  
3 THAT'S CLOSED NOW, WHETHER IT'S A STUDY AREA  
4 OR WHATEVER, IS A BASELINE CLOSURE, WE HAVE TO  
5 HAVE MORE.

6                   ILENE ANDERSON: AND I THINK PERHAPS  
7 THAT STUDY CAN BE MORE FULLY EXPLORED WITH THE  
8 NEXT SPEAKER THAT COMES ALONG.

9                   I THINK ISABELLA HAD ONE QUESTION,  
10 THOUGH, BEFORE YOU GO.

11                  ISABELLA BURNS: NO, I JUST WANTED  
12 TO ADD TO THAT.

13                  CLOSURE OF PLACES THAT ARE NOT USED,  
14 REPRESENTING THE ROCKHOUNDING, THERE ARE TIMES  
15 WHEN WE GO INTO SOME AREA AND LOOK FOR A  
16 MATERIAL. AND MAYBE THE GROUP THAT'S THERE  
17 DOESN'T FIND IT. AND IT MAY NOT BE USED FOR  
18 SOME TIME. BUT SOMETIME LATER SOMEBODY ELSE  
19 GOES INTO THAT AREA AND FINDS SOMETHING, AND  
20 THEN SUDDENLY YOU HAVE A LOT OF PEOPLE WANTING  
21 TO USE THAT AREA.

22                  BUT JUST BECAUSE A ROAD ISN'T USED  
23 IN MANY OF THE ROCK COLLECTING AREAS DOESN'T  
24 MEAN THAT THAT ROAD ISN'T IMPORTANT TO US.

25                  AND IF IT ISN'T OF ANY HARM TO

1 ANYONE, TO THE STATUS OF THE TORTOISE OR ANY  
2 OTHER ENDANGERED SPECIES, I SEE NO REASON TO  
3 CLOSE A ROAD JUST BECAUSE IT HAS NOT BEEN  
4 USED.

5 BECAUSE MANY TIMES WE GO BACK INTO  
6 AN AREA AND DO FIND SOMETHING THERE THAT WE  
7 WOULD LIKE TO AND WE DO USE THE ROAD.

8 (AUDIENCE APPLAUSE.)

9 EDITH ALLEN: THANK YOU.

10 ILENE ANDERSON: NEXT ON THE AGENDA  
11 IS A SCIENCE REVIEW. AND OUR DISTINGUISHED  
12 GUEST IS DR. MIKE ALLEN, THE DIRECTOR FOR THE  
13 CENTER FOR CONSERVATION BIOLOGY AT THE  
14 UNIVERSITY OF CALIFORNIA RIVERSIDE.

15 MICHAEL ALLEN: THANK YOU, MADAM  
16 CHAIR. I ASSUME THIS IS ON. AND MEMBERS OF  
17 THE DISTRICT ADVISORY COUNCIL.

18 WE WERE CHARGED WITH SOMETHING  
19 FAIRLY SPECIFIC. SO I WOULD LIKE TO JUST  
20 REVIEW WHAT WE WERE ASKED TO DO AND GIVE YOU  
21 AN OVERVIEW OF WHAT A SCIENCE PERSPECTIVE IS.

22 WE WERE PROBABLY DRAGGED KICKING AND  
23 SCREAMING BY RICHARD CROWE AND OTHERS. NOT  
24 REALLY. BECAUSE THIS IS A VERY IMPORTANT  
25 PROCESS TO OUR REGION. AND INDEED FOR

1 CONSERVATION PLANNING AS A GENERAL PROCESS.

2 AT THE REQUEST OF RICHARD TO REVIEW  
3 NOT THE ELEMENTS OF THE SCIENCE, NOT THE  
4 POLICY DECISIONS, BUT WHAT WERE THE  
5 INFORMATION THAT WENT IN, HOW DOES IT FIT WITH  
6 ESTABLISHED AND KNOWN SCIENCE.

7 AND SO WHAT I PUT TOGETHER IS A TEAM  
8 OF SCIENTISTS FROM SOUTHERN CALIFORNIA.

9 I AM THE DIRECTOR OF THE CENTER FOR  
10 CONSERVATION BIOLOGY AT U.C. RIVERSIDE. ALSO  
11 MY EXPERTISE IS ON ECOSYSTEM STRUCTURE AND  
12 FUNCTIONING AND GLOBAL CHANGE ISSUES.

13 DR. JAMES REICHMAN FROM THE  
14 UNIVERSITY OF CALIFORNIA AT SANTA BARBARA IS  
15 THE DIRECTOR OF THE NATIONAL CENTER FOR  
16 ECOLOGICAL ANALYSIS AND SYNTHESIS. AND HE IS  
17 ALSO THE CO-DIRECTOR OF RESEARCH ON POPULATION  
18 COMMUNITY DYNAMICS.

19 DR. JOHN ROTENBERRY FROM THE  
20 UNIVERSITY OF CALIFORNIA AT RIVERSIDE IS AN  
21 EXPERT IN LANDSCAPE ECOLOGY. AND HE IS THE  
22 DIRECTOR OF THE UCR-NATURAL RESERVE SYSTEM.

23 AND ALSO DR. EDITH ALLEN ON PLANT  
24 COMMUNITY DYNAMICS AND RESTORATION.

25 AND ALSO ASSISTING US WITH FINAL

1 DISCUSSIONS IS DR. ARNOLD RIDER FROM THE SAN  
2 DIEGO ZOO AND THE UNIVERSITY OF CALIFORNIA SAN  
3 DIEGO POPULATION SYNTHESIS.

4 I THINK ONE OF THE THINGS I WOULD  
5 LIKE TO DO IS BRIEFLY TALK ABOUT WHAT SCIENCE  
6 CAN AND CAN'T DO.

7 IT'S OFTEN A MAGIC WAND THAT'S WAVED  
8 OVER AND IT'S GOING TO PROVIDE THE ANSWERS.

9 AND RARELY DOES SCIENCE PROVIDE  
10 ANSWERS. IT PROVIDES INFORMATION ON WHICH  
11 POLICY DECISIONS SUCH AS USFWS AND THE BLM'S  
12 CAN BE MADE.

13 WHAT WE TRY TO DO IS NOT TO LOOK AT  
14 SPECIFIC DECISIONS, BECAUSE WE BELIEVE THOSE  
15 ARE POLICY DECISIONS.

16 BUT WHAT WE TRY TO DO IS LOOK AT THE  
17 TYPES OF LITERATURE THAT WAS BEING USED IN THE  
18 PLAN AND DETERMINE.

19 WE FOCUS ON WHAT'S THE REFEREE  
20 SCIENTIFIC LITERATURE. IN OTHER WORDS, WHAT  
21 HAS GONE THROUGH WHAT WE CALL THE SCIENTIFIC  
22 PEER REVIEW PROCESS WHERE EVERY BIT OF  
23 INFORMATION IS REVIEWED BY EXPERTS IN THAT  
24 FIELD.

25 THE OTHER PROBLEM WITH SCIENCE IS



1       IT'S LARGELY ITERATIVE. IT CHANGES THROUGH  
2       TIME AS NEW INFORMATION BECOMES AVAILABLE.  
3       NEW MODELS, NEW DATA, ET CETERA.

4               THE DESERT AND THE NECO AREA IS A  
5       PARTICULARLY TRICKY AREA ON WHICH TO DEVELOP A  
6       PLAN AND DEVELOP A PLAN FOR AN INDIVIDUAL  
7       SPECIES.

8               IT'S VERY PATCHY IN PRECIPITATION.  
9       I DON'T THINK I AM TELLING YOU ANYTHING NEW  
10      HERE. IT RAINS IN ONE POINT AND NOT ANOTHER.  
11      IT CHANGES IN PATCHY, IN SPACE AND IN TIME.

12              WE ARE ALSO DEALING WITH CHANGING  
13      CLIMATES, BOTH ON AN ANNUAL BASIS AND THEN  
14      DECADAL TIME SCALES.

15              SO WE HAVE TO THINK ABOUT ISSUES  
16      ABOUT POPULATION DYNAMICS AND MOVEMENTS, PULSE  
17      CHANGES IN THE POPULATIONS. IT'S VERY HARD TO  
18      DETECT TRENDS WHEN THINGS MOVE AND CHANGE AS  
19      FAST AS THEY DO.

20              AND SO THE FIRST QUESTION WE  
21      CONSIDERED WAS, IS THIS LARGER SCALE PURPOSE  
22      THAT THE NECO IS GOING THROUGH A PROPER  
23      APPROACH FOR MANAGING SOMETHING LIKE THE  
24      DESERT PRESERVE.

25              AND WE CONCLUDED THAT, YES, IN DEED

1 BECAUSE OF THESE SPATIAL AND TEMPORAL  
2 PROBLEMS, THE LARGER PLANNING EFFORTS SUCH AS  
3 THE NECO IS IN FACT A PROPER DIRECTION  
4 SCIENTIFICALLY.

5 A FEW SPECIFIC ISSUES ON THE DESERT  
6 TORTOISE.

7 IT'S REALLY A TRICKY ONE IN THE  
8 SENSE THAT WHILE IT'S BEEN STUDIED A LOT, THE  
9 DETAILS HAVE BEEN STUDIED ON THE DESERT  
10 TORTOISE, WE REALLY DON'T HAVE A GOOD HANDLE  
11 ON WHAT THE POPULATION TRENDS ARE.

12 AND, IN FACT, EVERY BIOLOGIST I HAVE  
13 EVER TALKED TO WHO IS IN THE FIELD WORKING ON  
14 THESE WILL GIVE YOU A DIFFERENT TREND  
15 ANALYSIS.

16 AND THAT IS OFTENTIMES A FUNCTION OF  
17 WHERE THEY SPECIFICALLY TOOK THOSE SETS OF  
18 INFORMATION.

19 SO IT IS IMPORTANT THAT WE THINK IN  
20 TERMS OF FINDING INFORMATION, BUT IT HAS TO BE  
21 BROUGHT TO YOU. AND THIS IS THE TYPICAL  
22 SCIENCE RESPONSE, WE NEED MORE INFORMATION.

23 BUT AT THE SAME TIME WE HAVE TO BE  
24 COGNIZANT OF THE FACT THAT INFORMATION  
25 GATHERED ON ONLY ONE POINT IS PROBABLY NOT

1 GOING TO PROVIDE ADEQUATE.

2 AND SO TAKING A LARGER VIEW OF THE  
3 PROTECTION AREAS IS CONSISTENT WITH  
4 CONSERVATION SCIENCE.

5 THE OTHER POINT I WANTED TO MAKE ON  
6 THIS IS THAT THE EPIDEMIOLOGY OF DISEASES IN  
7 WILDLIFE POPULATIONS IS REALLY A POORLY  
8 UNDERSTOOD AREA.

9 IN FACT, THE PARTICULAR  
10 MICROPLASM -- ONE OF THE PARTICULAR  
11 MICROPLASMS ON THE DESERT TORTOISE WAS JUST  
12 DESCRIBED IN A RECENT PAPER AS A BRAND NEW  
13 SPECIES OF MICROORGANISM.

14 THAT'S NOT UNCOMMON. AND WE KNOW  
15 VERY LITTLE ABOUT THE EPIDEMIOLOGY OF THIS  
16 PARTICULAR DISEASE.

17 I WOULD POINT OUT HERE THAT THERE IS  
18 A LOT MORE INFORMATION THAN WE WERE GIVEN.

19 WE LOOKED AT THE PUBLISHED  
20 LITERATURE IN THE DOCUMENT. THE SAME DOCUMENT  
21 THAT YOU HAVE. AND WE KNOW THAT UNDERLYING  
22 THAT DOCUMENT WAS A LOT OF SPECIES ACCOUNT  
23 INFORMATION. SPECIFIC STUDIES THAT ARE NOT IN  
24 THE REFERENCE LITERATURE YET. EXPERT'S  
25 TESTIMONIES THAT WERE NOT AVAILABLE TO US.

1                   ON THE BIGHORN SHEEP THE EFFORT WAS  
2           TO -- A SUGGESTION WAS THAT THERE WAS AN  
3           ATTEMPT TO PROVIDE AND PROTECT ESSENTIAL  
4           HABITAT AND CONDUCT TRANSPLANTS WITHIN LOST  
5           DEMES OR AUGMENT INDIVIDUAL DEMES IF  
6           POPULATION NUMBERS FALL.

7                   ONE OF THE THINGS WE WERE CONCERNED  
8           ABOUT IS THAT THESE PREVIOUS ATTEMPTS TO  
9           AUGMENT POPULATIONS SHOULD BE MUCH BETTER  
10          DOCUMENTED AND REFERRED TO IN THIS LITERATURE.

11                   HOW IS THE EFFECTIVENESS AND WHAT  
12          THE EFFECTIVENESS IS IN OTHER AREAS AND SEE  
13          HOW THAT APPLIES TO THIS REGION.

14                   WE DO HAVE TO RECOGNIZE THAT SHEEP  
15          MOVE. THEY MOVE BACK AND FORTH BETWEEN AREAS.  
16          AND THAT CHARACTERISTIC IS WHAT MAINTAINS  
17          VIABLE POPULATIONS.

18                   BUT IT'S LIKE MOST OTHER THINGS.  
19          THERE IS YOUNG MALES AT THE END THAT ARE OUT  
20          AND COUNTED. AND THAT'S AN IMPORTANT PROCESS.

21                   PROTECTING CORRIDORS IN LARGER  
22          HABITATS IS A CRITICAL ISSUE.

23                   RECOVERY AND MANAGEMENT ISSUES.

24                   DISTRIBUTION MAPS. WE DIDN'T HAVE  
25          THE DETAILED DISTRIBUTION MAPS, BUT WE DO

1 UNDERSTAND THOSE WERE REGULARLY REVIEWED AND  
2 USED IN THIS PLAN, WHICH IS IMPORTANT FOR  
3 RECOGNITION.

4 THE ISSUES OF CONCERN INCLUDE  
5 HABITAT FRAGMENTATION.

6 WE RECOMMEND THAT VIABLE POPULATION  
7 ANALYSIS BE UNDERTAKEN, BUT WE DO RECOGNIZE  
8 THAT THERE ARE DIFFICULTIES IN ASSESSING  
9 WHAT -- HOW YOU MEASURE THE POPULATIONS. DO  
10 YOU USE YOUNG TORTOISES IN DIFFERENT LIFE  
11 STAGES THAT GO INTO THAT.

12 I KNOW KRISTEN BERRY SAYS IT'S VERY  
13 DIFFICULT TO IDENTIFY THOSE STAGES. AND YET  
14 THE SIMULATION MODELS THAT HAVE BEEN DONE SHOW  
15 A VERY SENSITIVE -- SENSITIVITY TO  
16 UNDERSTANDING THOSE POPULATION -- POPULATION  
17 DISTRIBUTION CHARACTERISTICS.

18 SOME THINGS THAT CAN BE UNDERTAKEN  
19 IS A SOILS MAP THAT COMPLETELY COVERS THE  
20 AREA. AND I THINK THAT SHOULD BE RECOMMENDED  
21 TO THE NATURAL RESOURCE CONSERVATION SERVICE.  
22 THERE IS CERTAINLY NO BIG CORRELATION BETWEEN  
23 TORTOISES AND SOILS MAPS, BUT YET FOR MANY  
24 AREAS THERE DOESN'T EXIST ONE.

25 AND THE THREAT OF EXOTIC SPECIES IS

1       OF A SPECIAL CONCERN, BOTH AS A DIETARY ISSUE  
2       FOR THE TORTOISES AND CERTAINLY FOR ITS  
3       IMPACTS ON THE COMMUNITIES.

4               ECOSYSTEM PROCESSES.

5               ECOSYSTEMS ARE CHANGING. AND WE  
6       NEED TO UNDERSTAND THOSE IN MUCH MORE DETAIL.

7               THERE IS A LOT OF WORK GOING ON. IT  
8       HASN'T BEEN INCORPORATED INTO THIS DOCUMENT  
9       AND PROBABLY COULD BE.

10              ADAPTIVE MANAGEMENT IS A CRITICAL  
11      PHASE. THERE IS A LOT OF QUESTIONS WE DON'T  
12      KNOW THE ANSWERS TO.

13              AND WHAT WE FIND IN THE MONITORING  
14      EFFORT IS GOING TO BE CRUCIAL TO BEING ABLE TO  
15      ADJUST TO THE CHANGING POPULATIONS. WHETHER  
16      THAT MEANS MORE CLOSURES OF AREAS OR OPENINGS  
17      OF AREAS OR LESS CLOSURES OF AREAS IN THE  
18      FUTURE.

19              FINALLY, WE THINK IT'S IMPORTANT  
20      THAT THE NECO PLAN REALLY DEFINE SUCCESS IN  
21      EACH OF THESE EFFORTS.

22              WHAT IS SUCCESS?

23              IS THE POPULATION OF TORTOISES  
24      INCREASING WITHIN THE ENTIRE REGION POPULATION  
25      AND MAINTAINING ITSELF, IT THAT CONSIDERED

1       SUCCESS?  OR REDUCTION OF DISEASE.  WHAT ARE  
2       SOME OF THE CRITERIA FOR SUCCESS.

3               BUT IN GENERAL IT'S THE VIEW OF THE  
4       SCIENCE REVIEW PANEL THAT THE -- THERE IS BOTH  
5       PUBLISHED LITERATURE AND A LOT OF INFORMATION  
6       THAT IS AVAILABLE TO THE TEAM WHO PUT TOGETHER  
7       THIS REPORT.

8               IT'S A VERY LARGE AND COMPREHENSIVE  
9       EFFORT.  AND WE DO APPRECIATE ALL OF THE  
10      EFFORT THAT WENT INTO THIS.

11              AND WE THINK IT'S A VIABLE APPROACH  
12      AND THAT MOST OF THE SUGGESTIONS CERTAINLY FIT  
13      WITHIN THE GUIDELINES OF WHAT WE KNOW ABOUT  
14      CONSERVATION SCIENCE.

15              THANKS.

16              ILENE ANDERSON:  OKAY.

17              WALLY LEIMGRUBER:  THANK YOU, DR.  
18      ALLEN, FOR THOSE COMMENTS.  AND WE WELCOME YOU  
19      DOWN TO THE COUNTY OF IMPERIAL.

20              THERE'S A COUPLE OF DISCUSSIONS THAT  
21      YOU HAD ON THE DISEASE OF THE DESERT TORTOISE.  
22      WE HAVE HAD A LOT OF DISCUSSION ABOUT SOME  
23      UPPER RESPIRATORY DISEASE.

24              AND YOU HAVE ACTUALLY STATED NOW  
25      THAT THERE IS ACTUALLY A NEW ILLNESS THAT YOU

1 HAVE DISCOVERED? OR COULD YOU ELABORATE ON  
2 THAT, PLEASE?

3 MICHAEL ALLEN: YEAH. I DOUBT THAT  
4 IT'S A NEW ILLNESS. IT'S THE SAME ILLNESS.  
5 BUT WHAT THE GROUP THAT HAS BEEN WORKING ON  
6 THAT PARTICULAR ORGANISM HAVE FOUND IS THAT  
7 IT'S AN UNDESCRIBED ORGANISM THAT HAS NEVER  
8 BEEN DESCRIBED IN SCIENTIFIC TERMS.

9 SO ONE OF THE THINGS WE'VE FOUND  
10 WITH MICROORGANISMS IS THAT THERE IS ALWAYS  
11 NEW ORGANISMS IN POPULATIONS THAT WE DIDN'T  
12 KNOW ABOUT.

13 SO I THINK IT'S ILLUSTRATIVE OF THE  
14 DIFFICULTIES OF DOING STUDIES ON SOMETHING  
15 LIKE DISEASE OF SOMETHING LIKE THE TORTOISE IN  
16 THAT MANY OF THESE SPECIFIC ORGANISMS HAVE NOT  
17 BEEN DESCRIBED.

18 AND SO WE DON'T KNOW A LOT ABOUT  
19 THEIR CHARACTERISTICS, HOW THEY SPREAD, HOW  
20 THEY TOLERATE, HOW THEY GET FROM TORTOISE TO  
21 TORTOISE. DO THEY PERSIST IN SOIL.

22 AND THAT'S NOT UNCOMMON. THE  
23 HANTAVIRUS IN CENTRAL NEW MEXICO IS THE NEW  
24 STRAIN OF THE HANTAVIRUS. AND THESE ARE VERY  
25 COMMON. BUT IT TELLS US HOW LITTLE WE REALLY



1 UNDERSTAND ABOUT ORGANISMS THAT CAUSE THOSE  
2 PROBLEMS.

3 WALLY LEIMGRUBER: THANK YOU.

4 RANDY RISTER: YOU HAVEN'T FOUND ANY  
5 RUNNING AROUND ON ALL THOSE BEACHES, HAVE YOU?

6 MICHAEL ALLEN: I CERTAINLY HAVEN'T.  
7 BUT I HAVEN'T BEEN SCRAPING PEOPLE'S TIRES.

8 ROY DENNER: REGARDING THE DESERT  
9 TORTOISE, IF I COULD JUST PARAPHRASE A COUPLE  
10 OF YOUR INTRODUCTORY REMARKS AND MAKE SURE WE  
11 UNDERSTAND EXACTLY WHAT IT WAS YOU SAID.

12 I THINK YOU SAID THAT THERE IS  
13 REALLY NOT ENOUGH INFORMATION. YOU ARE NOT  
14 REALLY SURE OF WHAT THE POPULATION TRENDS ARE.  
15 AND THAT WE COULD ASK YOUR FELLOW SCIENTISTS  
16 WHAT THEIR OPINION IS OF WHERE THE TREND'S  
17 BEEN GOING AND WOULD PROBABLY GET AS MANY  
18 DIFFERENT OPINIONS AS YOU ASKED THE QUESTION.

19 IS THAT PRETTY MUCH A SUMMARY OF  
20 WHAT YOU SAID IN THE BEGINNING?

21 MICHAEL ALLEN: FOR ANY SPECIFIC  
22 AREA. IN GENERAL IT'S ASSUMED THAT -- THE  
23 BELIEF IS THAT THE POPULATIONS IN GENERAL ARE  
24 IN A PRETTY SEVERE DECLINE.

25 BUT ONE OF THE THINGS THAT WHEN YOU

1       CREATE THESE TRAJECTORY MODELS, WHAT YOU HAVE  
2       IS YOU LOOK AT, FOR EXAMPLE, THE NUMBER OF  
3       YOUNG ORGANISMS, THE NUMBER OF OLD ORGANISMS.

4               AND IF THE YOUNG ARE ENOUGH HIGHER  
5       THEN YOU HAVE A STABLE POPULATION TREND. AND  
6       SO YOU CAN SAY THAT THAT POPULATION WILL BE  
7       STABLE IN THE FUTURE.

8               BUT THE DIFFICULTY WITH THE TORTOISE  
9       IS THAT IT'S GOING LIKE THAT, OF COURSE. AND  
10      EVERY PLACE YOU LOOK.

11              AND WE CAN'T -- AT LEAST OF YET  
12      NOBODY HAS DEVELOPED A SPECIFIC LIFE TABLE  
13      IN ORDER TO CREATE THOSE MODELS OF THE FUTURE.

14              SO IT'S KIND OF A COMBINATION. IT'S  
15      DECLINING IN GENERAL. BUT WHAT IT'S DOING IN  
16      SPECIFIC AREAS, THERE'S ALMOST NO DATA TO  
17      ACTUALLY TEST THAT. AND CERTAINLY IN THE  
18      AREAS THAT WE HAVE BEEN CONCERNED WITH HERE.

19              ROY DENNER: WELL, I GUESS THE  
20      QUESTION I WOULD HAVE THEN IS AS A SCIENTIST  
21      ARE YOU COMFORTABLE WITH THE FACT THAT THE BLM  
22      IS MAKING MAJOR -- MAJOR LAND USE DECISIONS  
23      BASED ON INADEQUATE SCIENTIFIC DATA?

24              MICHAEL ALLEN: I AM IN A SENSE THAT  
25      EVERY AGENCY I KNOW MAKES DECISIONS BASED UPON

1       WHAT I WOULD CONSIDER INADEQUATE SCIENTIFIC  
2       INFORMATION.  SIMPLY BECAUSE SCIENCE IS GOING  
3       TO CONTINUE TO PROVIDE NEW INFORMATION AS IT  
4       GOES ALONG AND AS THESE GAPS ARE FOUND.

5                SO THERE ISN'T COMPLETE INFORMATION  
6       AND THERE MAY VERY WELL NEVER BE FOR MANY OF  
7       THESE AREAS.

8                AND ONE OF THE THINGS THAT CERTAINLY  
9       AS SCIENTISTS WE WOULD SUGGEST IS THAT, YOU  
10      KNOW, THOSE PARTICULAR EFFORTS BE MONITORED  
11      BETTER.

12              ON THE OTHER HAND, THERE IS A GOOD  
13      BODY OF THEORY AS TO LOOKING FOR PROTECTING  
14      CORRIDOR AREAS.  SETTING ASIDE LARGE ENOUGH  
15      AREAS THAT THE POPULATIONS ARE ENCLOSED IN  
16      THAT.  AND THEN MAINTAINING CORRIDORS TO LINK  
17      POPULATIONS.

18              IT'S A LARGE EFFORT OF SCIENTIFIC  
19      EXPERTISE, BUT THAT'S A GOOD INITIAL DECISION.

20              ROY DENNER:  I JUST HAD ONE FINAL  
21      COMMENT.

22              I WOULD TAKE ISSUE WITH THE CONCEPT  
23      THAT IF EVERY AGENCY MAKES DECISIONS BASED ON  
24      INADEQUATE SCIENTIFIC INFORMATION, EVERYONE ON  
25      DAC IS IN BIG TROUBLE.

1 (AUDIENCE APPLAUSE.)

2 MICHAEL ALLEN: SOMETIMES THEY ARE.

3 DENNIS CASEBIER: I THINK I HEARD  
4 YOU COMMENT THAT YOU DIDN'T HAVE ALL THE DATA  
5 THAT MIGHT BE AVAILABLE. I WOULD LIKE FOR YOU  
6 TO COMMENT A LITTLE FURTHER ON THAT WHY YOU  
7 DON'T.

8 AND IN PARTICULAR WAS DR. BERRY'S  
9 DATA THAT SHE'S BEEN COLLECTING OVER A PERIOD  
10 OF 30 YEARS, OR WHATEVER IT IS, AVAILABLE TO  
11 YOU, WHETHER THAT BE THROUGH THE GEOLOGICAL  
12 SURVEY OR WHATEVER.

13 MICHAEL ALLEN: WE HAVEN'T SEEN DR.  
14 BERRY'S DATA. AND WHAT WE WERE TRYING TO DO  
15 WAS LOOK AT THE PLAN AND THE INFORMATION THAT  
16 WAS PROVIDED IN THE PLAN WITH WHAT IS THE  
17 PUBLISHED LITERATURE.

18 AND AGAIN, WE PRESUME THAT, LIKE  
19 MANY OTHERS, DR. BERRY IS PREPARING THIS DATA  
20 FOR PUBLICATION.

21 AND SO, YEAH, WE HAVEN'T SEEN THOSE  
22 NUMBERS. I HAVE BEEN TO TALKS WHERE SHE HAS  
23 PRESENTED SOME OF THOSE. BUT THIS IS NOT --  
24 THEY ARE NOT FORMALLY WRITTEN UP OR AVAILABLE.

25 DENNIS CASEBIER: THAT OUGHT TO BE

1       WHAT YOU WOULD THINK IS ONE OF THE MOST  
2       COMPREHENSIVE SOURCES AVAILABLE.

3               DID YOU HAVE A SENSE OF FRUSTRATION  
4       OVER THAT?   HERE YOU WERE CHARGED WITH THIS  
5       RESPONSIBILITY TO DO THIS WORK FOR THE  
6       DEPARTMENT OF THE INTERIOR, AND YET ALL OF  
7       THIS DATA THAT RESIDES IN THE DEPARTMENT OF  
8       INTERIOR WASN'T AVAILABLE TO YOU.

9               MICHAEL ALLEN:   WELL, IT IS A SOURCE  
10      OF FRUSTRATION.   BUT ONE OF THE THINGS THAT --

11              IN SCIENCE DIFFERENT INVESTIGATORS  
12      WILL POOL TOGETHER THE INFORMATION AND WRITE  
13      THOSE UP IN THESE COMPREHENSIVE PUBLICATIONS.  
14      AND THAT IS WHAT IS REFEREED AND LOOKED AT BY  
15      SCIENTISTS IN GENERAL.

16              SPECIFICALLY I AM NOT AN EXPERT WITH  
17      THE DESERT TORTOISE.   SO WHAT WE WOULD DO --  
18      WHAT WE WOULD LOOK AT IS HOW THAT INFORMATION  
19      IS SYNTHESIZED AND REVIEWED BY SPECIAL  
20      EXPERTISE IN THE DESERT TORTOISE.   THAT MEANS  
21      THAT IT'S MADE IT TO THAT STAGE.

22              I CAN'T REALLY COMMENT ON WHETHER  
23      DR. BERRY'S DATA ARE NOT IN A FORM YET OR  
24      WHETHER IT'S INADEQUATE IN TERMS OF THE  
25      NUMBERS THAT SHE IS READY TO PREPARE THAT FOR

1 PUBLICATION. BUT THERE IS LOTS OF REASONS WHY  
2 THAT HASN'T BEEN PREPARED IN THE FINAL  
3 PUBLICATION STAGE YET.

4 DENNIS CASEBIER: NOW, AS YOU GOT  
5 INTO THIS DID IT COME AS A SURPRISE TO YOU  
6 THAT EVEN THOUGH THE DESERT TORTOISE WAS  
7 LISTED ELEVEN YEARS AGO, THERE IS SO LITTLE  
8 DATA THAT YOU COULD USE?

9 BECAUSE I HAVE BEEN SITTING IN  
10 MEETINGS LIKE THIS FOR LONGER THAN THAT WITH  
11 LOTS OF DATA. IN FACT, SOME DATA OF THE TYPE  
12 THAT YOU MADE REFERENCE TO WHERE DISTRIBUTIONS  
13 BY AGE WERE PRESENTED.

14 MICHAEL ALLEN: WHEN I FIRST GOT  
15 INTO THIS THAT WAS THE FIRST QUESTION I HAD  
16 WAS THE LIFE TABLE ANALYSIS FOR THE DESERT  
17 TORTOISE. BECAUSE I WOULD ASSUME THAT THAT  
18 WOULD BE A FIRST STEP.

19 TO MY KNOWLEDGE, IT HASN'T BEEN  
20 DONE.

21 YES, IT'S DIFFICULT. BUT IT'S  
22 PROBABLY NOT IMPOSSIBLE.

23 AND I THINK THAT CERTAINLY THERE  
24 SHOULD BE A REQUEST TO -- FROM SOMEONE -- AND  
25 I THINK THIS MIGHT BE A GOOD GROUP -- TO GO

1 BACK TO BRD OR OTHER SCIENTISTS TO ACTUALLY  
2 DEVELOP A HIGH QUALITY LIFE TABLE ANALYSIS.

3 DENNIS CASEBIER: AND I SEE THAT IN  
4 YOUR REPORT THAT I READ. AND I THINK YOU'RE  
5 RIGHT. IT IS SOMETHING WE SHOULD DO.

6 AND I THINK IT'S PROBABLY AN  
7 ADVANTAGE THAT YOU ARE A SCIENTIST AND NOT A  
8 TORTOISE EXPERT. BECAUSE I THINK THAT'S  
9 WHAT'S REALLY BADLY NEEDED HERE IS A LOOK AT  
10 WHAT'S HAPPENED TO THE DESERT TORTOISE FROM A  
11 SCIENTIFIC POINT OF VIEW. FROM PEOPLE THAT  
12 AREN'T INTO AS A LIFETIME WORK SAY THE DESERT  
13 TORTOISE. AND COULD MAYBE BE A LITTLE MORE  
14 DETACHED.

15 (AUDIENCE APPLAUSE.)

16 RANDY RISTER: DR. ALLEN, CAN YOU  
17 MAYBE GIVE US YOUR BEST GUESS OF HOW MANY  
18 HOURS YOUR WHOLE TEAM HAS SPENT ON THIS AND  
19 OVER WHAT PERIOD OF YEARS?

20 MICHAEL ALLEN: WE REVIEWED THE  
21 APPROACH. AND THAT CONSISTED OF A TWO-DAY  
22 EFFORT. SOME WRITTEN MATERIALS WERE GIVEN. A  
23 SMALL AMOUNT OF WRITTEN MATERIALS WERE GIVEN  
24 TO THE TEAM.

25 AND THEN WE SAT DOWN TO SEE WHAT

1       APPROACH THAT THEY WERE TAKING.  AND LISTED A  
2       SERIES OF AREAS THAT THE NECO EFFORT NEEDED TO  
3       EVALUATE IN ORDER TO MAKE THIS.

4               THEN WE RECEIVED THE REPORT.  AND WE  
5       HAD COPIES OF THIS.  I WOULD GUESS AROUND FOUR  
6       MONTHS THAT FACULTY, THE INDIVIDUALS HAD BEEN  
7       LOOKING THROUGH, READING BACK THROUGH IT.

8               AND THEN WE PROBABLY PUT A SOLID  
9       WEEK OF POST DOC TIME.  PLUS DIFFERENT  
10      INVESTIGATOR TIMES INTO TRYING TO ACTUALLY  
11      PAIR UP MANY OF THE DETAILS.

12              RANDY RISTER:  THANK YOU.

13              BOB ELLIS:  YEAH.  WHAT WOULD BE  
14      YOUR OPINION, THEN, OF THE OVERALL ECOLOGICAL  
15      HEALTH OF THE DESERT BASED ON THIS -- YOU  
16      KNOW, YOU DID AN EVALUATION AND I PRESUME THAT  
17      THE RECOMMENDATIONS IN PART ARE IN RESPONSE TO  
18      THAT.

19              AND SO MY FIRST QUESTION IS, HOW DO  
20      YOU FEEL THE DESERT IS DOING IN GENERAL?

21              MICHAEL ALLEN:  IN GENERAL, THE  
22      DESERT IS -- IT'S A VERY RESILIENT AREA.  BUT  
23      AT THE SAME TIME, THERE ARE MANY CHANGES  
24      SIMULTANEOUSLY GOING ON.

25              I THINK THE OFF-ROAD VEHICLE USE AND



1 RECREATIONAL USE IS ONLY REALLY ONE SMALL PART  
2 OF ADAPTATIONS THAT THE DESERT TORTOISE  
3 ADJUSTS TO -- ADJUSTS TO THE CHANGE IN HUMANS.

4 AND IT INCLUDES THE INCREASING  
5 POPULATION OF THE AREA WITH USER THINGS THAT  
6 ARE GOING ON. INCREASING NITROGEN DEPOSITION  
7 FROM AUTOMOBILE TRAFFIC, EXOTIC SPECIES COMING  
8 UP.

9 AND SO THERE ARE A LOT OF PREDATIONS  
10 SIMULTANEOUSLY AFFECTING THE DESERT.

11 IN GENERAL IT IS AS SENSITIVE AS  
12 MOST OTHER AREAS. POTENTIALLY MORE SENSITIVE  
13 IN TERMS OF SOME OF THE LOCAL CHANGE TYPE OF  
14 SENSITIVE ISSUES.

15 SO THE PROBLEM WITH A MANAGEMENT  
16 PLAN WITH THIS IS THAT THERE ARE CERTAIN  
17 MANAGEMENT ACTIVITIES THAT CAN ADDRESS CERTAIN  
18 TYPES OF ACTIVITIES.

19 AND RECREATION IS ONE OF THE EASIER  
20 ONES REALLY TO ADDRESS. BECAUSE HOW DO WE  
21 ADDRESS THINGS LIKE SOME OF THE LARGER SCALE  
22 POLLUTION THAT ROLLS OUT OF THE LOS ANGELES  
23 BASIN OR SOME OF THE GLOBAL CHANGE.

24 BUT THAT IS ONE OF THE REASONS WHY  
25 IT'S SO IMPORTANT TO INCORPORATE A LARGER

1 ECOSYSTEM MANAGEMENT AND MONITORING PLAN.  
2 BECAUSE SPECIFIC AREAS CAN BE STUDIED FOR  
3 THEIR IMPACTS.

4 AND THEN WE ALSO HAVE A SENSE OF ARE  
5 THEY CHANGING AT THE SAME RATE AS AREAS THAT  
6 ARE UNAFFECTED.

7 AND THAT'S ALSO ONE OF THE THINGS  
8 THAT WE HAVE TO DO IS WE HAVE TO BE ABLE TO  
9 SEE WHAT CHANGES ARE OCCURRING ELSEWHERE  
10 WITHIN THESE PROTECTIVE AREAS AND AT THE SAME  
11 TIME LOOK AT THOSE OUTSIDE.

12 BOB ELLIS: THEN I WAS HOPING YOU  
13 WOULD ALSO GIVE US SOME RECOMMENDATIONS. YOU  
14 MENTION THE NEED FOR MONITORING.

15 HOW DO YOU SEE THE BLM'S ROLE IN  
16 MONITORING ON THE NECO PLAN AND WHAT'S THE  
17 ACADEMIC ROLE AND HOW CAN YOU GUYS BECOME MORE  
18 INVOLVED AND WHAT LEVEL OF COMMITMENT IS  
19 NEEDED HERE AND WHERE DOES THE MONEY COME  
20 FROM?

21 MICHAEL ALLEN: I THINK THE BIG  
22 LIMITATION IS GOING TO BE PROBABLY THE SAME  
23 ONE AS -- THAT'S ALWAYS THROWN OUT.

24 THERE IS AN INCREASING EFFORT IN  
25 ACADEMICS TO REALLY MAKE RESEARCH THAT

1       ACTUALLY HAS APPLICATION RATHER THAN JUST  
2       HIDING IN THE CORNERS, WHICH IS SOMETIMES  
3       EASIER.

4                SO THERE IS AN INCREASING INTEREST.  
5       BUT THAT NEEDS TO BE COUPLED WITH AN  
6       INCREASING FUNDING TO ACTUALLY HAVE PEOPLE WHO  
7       ARE LARGELY FUNDED BY THE UNIVERSITY TO BE IN  
8       THE CLASSROOM.

9                HOW DO WE HAVE THE FUNDING AND THE  
10      TIME TO GET TO THE FIELD TO HAVE STUDENTS IN  
11      THE FIELD.

12              AND SO THAT IS -- THERE IS A REAL  
13      INTEREST IN ACADEMICS BEING INVOLVED. I THINK  
14      THERE IS AN INTEREST FROM THE BLM IN TERMS OF  
15      HAVING MONITORING DONE.

16              AND PROBABLY WHAT'S NECESSARY IS A  
17      WAY TO PUT TOGETHER AN APPROACH THAT  
18      ADEQUATELY FUNDS AND GETS PEOPLE OUT THERE TO  
19      COLLECT THE TYPES OF INFORMATION NECESSARY.

20              RON KEMPER: IF YOU COULD JUST TAKE  
21      A MINUTE TO EDUCATE US REGARDING A SCIENTIST  
22      OR A WILDLIFE SPECIALIST STUDY AND THE VEHICLE  
23      OR THE PROCESS OF PUBLISHING THAT STUDY. AND  
24      THEN PEER REVIEW AND WHAT THAT MEANS TO THE  
25      SCIENTIFIC COMMUNITY.

1                   MICHAEL ALLEN:  SURE.  THE PROCESS  
2   YOU GO THROUGH IS YOU HAVE AN IDEA.  AND THAT  
3   IDEA COULD COME FROM YOU, IT CAN COME FROM  
4   YOUR BUDDY WHO LIVES NEXT DOOR, OR WHATEVER.  
5                   YOU TEST THAT IDEA IN THE FIELD.  
6   COLLECT THE DATA.  COLLECT THE DIFFERENT KINDS  
7   OF INFORMATION.  WHETHER THAT MAY BE THE  
8   NUMBERS OF TORTOISES OR THE NUMBERS OF SHEEP  
9   OR HOW THEY BEHAVE.  
10                  THEN THOSE DATA ARE POOLED TOGETHER  
11   BY THE INDIVIDUALS AND ANALYZED.  SO THERE IS  
12   CONSIDERABLE TIME IN THE TIME THAT YOU GO  
13   THROUGH ACTUALLY LOOKING AT THE NUMBERS AND  
14   DOING THE STATISTICAL -- APPROPRIATE  
15   STATISTICAL ANALYSES.  
16                  AT THAT POINT IN TIME THE DATA ARE  
17   WRITTEN UP INTO A COMPREHENSIVE FORM.  
18                  IN MANY INSTANCES -- AND THIS IS A  
19   CHANGE IN ATTITUDE AMONG SCIENTISTS -- IT USED  
20   TO BE THAT THE DATA THEN WAS PROVIDED ON THE  
21   YELLOW SHEET AND GOT THROWN IN A FILING  
22   CABINET AND NEVER TO BE SEEN AGAIN.  AND NEW  
23   EFFORTS ARE NOW BEING MADE TO COMPUTERIZE THE  
24   ACTUAL NUMBERS.  
25                  SO NOW THERE IS A NUMBER, THEN THERE

1       IS A STEP TO GET THE NUMBERS INTO THE  
2       LONG-TERM STORAGE FACILITY.

3               AT THAT TIME THE STATISTICAL  
4       ANALYSIS IS DONE AND THE PAPER IS WRITTEN UP.

5               THAT PAPER IS SUBMITTED TO THE  
6       JOURNAL -- APPROPRIATE JOURNAL FOR  
7       PUBLICATION.  EACH JOURNAL HAS A SERIES OF  
8       EDITORS.

9               THOSE PAPERS ARE THEN SENT OUT FOR  
10      REVIEW BY MEMBERS -- ACCEPTED EXPERTS OF THE  
11      SCIENTIFIC FIELD.  THEY COME BACK IN AND THEN  
12      THERE IS A WAITING PROCESS WHILE THE DATA IS  
13      PUBLISHED AND PUT IN THE JOURNAL.

14              BILL BETTERLY:  IS THAT THE PEER  
15      REVIEW?

16              MICHAEL ALLEN:  THAT'S THE PEER  
17      REVIEW PROCESS.

18              AND SO BY THE TIME IT MAKES IT TO  
19      THE PEER REVIEW IT'S GONE THROUGH ALL OF THESE  
20      OTHER STEPS.

21              BUT -- AND IT'S NOT ALWAYS THE CASE.  
22      BUT GENERALLY WE PUT A LOT OF RELIABILITY.  
23      BECAUSE THEY LOOKED AT THE NUMBERS.  THE PEERS  
24      HAVE LOOKED AT THE QUALITY OF THE DATA.  
25      LOOKED AT THE INTERPRETATION OF THE DATA.

1                   AND SO BY THE TIME IT REACHES THAT  
2                   STAGE WE USUALLY THINK IT HAS PRETTY GOOD  
3                   REPUTABILITY.

4                   ANYTHING LESS -- YOU KNOW, THE  
5                   PROBLEMS WITH JUST GENERATING NUMBERS IS THEY  
6                   HAVEN'T BEEN SUBJECT TO LOOKING AT BY  
7                   INDIVIDUAL EXPERTS.

8                   RON KEMPER:   DID I UNDERSTAND YOU  
9                   CORRECTLY EARLIER IN YOUR PRESENTATION THAT  
10                  KRISTIN BERRY'S INFORMATION WASN'T AVAILABLE  
11                  TO YOU BECAUSE IT HAD NOT BEEN PUBLISHED AND  
12                  IT HAS NOT BEEN PEER REVIEWED?

13                  MICHAEL ALLEN:   SOME OF THE  
14                  POPULATION ESTIMATES OF SPECIFIC CHANGES THAT  
15                  SHE HAS TALKED ABOUT.

16                  SHE HAS PUBLISHED CERTAINLY A NUMBER  
17                  OF PAPERS -- SOME IN PARTICULAR ON THE  
18                  INCIDENCE OF THE DISEASE, CHARACTERIZING THE  
19                  DISEASE OF THE TORTOISE.   AND CERTAINLY THOSE  
20                  ARE GOOD.

21                  SO SHE HAS PUBLISHED INFORMATION.   I  
22                  THINK NOT THE SPECIFIC THING THAT WAS  
23                  REFERENCED HERE.

24                  RON KEMPER:   THANK YOU.

25                  JON MCQUISTON:   THANK YOU, DOCTOR.

1 I HAVE A COUPLE OF COMMENTS.

2 I REALLY ENJOYED READING YOUR PAPER.  
3 AND MY COMMENTS ARE GOING TO BE NOT SO MUCH  
4 TOWARD THE SCIENCE THAT YOU REVEALED HERE AS  
5 TO THE PRACTICAL APPLICATION IN TERMS OF WHAT  
6 WE ARE HERE ABOUT.

7 TWO THINGS: ONE, WHAT YOU REFER TO  
8 AS AN ADAPTIVE MANAGEMENT STRATEGY.

9 I THINK THE POINT I AM TRYING TO  
10 MAKE, EARLIER TODAY WE HEARD THAT THE RECOVERY  
11 PLAN IS NOT A MANDATE, IT'S A GUIDELINE. YET  
12 WE ALL KNOW THAT IN PRACTICAL APPLICATION WHEN  
13 IT COMES TO DEVELOPING MANAGEMENT PLANS YOU  
14 ALWAYS GO BACK.

15 SO I WOULD LIKE TO PERHAPS INJECT A  
16 THOUGHT THAT WE DON'T NEED AN ADAPTIVE  
17 MANAGEMENT STRATEGY, WE NEED AN ADAPTIVE  
18 RECOVERY STRATEGY THAT WILL -- AS YOU SAY, THE  
19 SCIENCE AS AN INTEGRAL IS CHANGING.

20 AS A MATTER OF FACT, IN OUR RECOVERY  
21 PLAN IT SEEMS TO BE THE ENGINE BEHIND SO MUCH  
22 OF WHAT WE ARE DOING WAS PUT IN PLACE IN 1994.

23 THERE WAS A COMMITMENT OR AT LEAST A  
24 PROFESSIONAL SCIENTIFIC CONSENSUS THAT IT  
25 NEEDED TO BE REVIEWED EVERY THREE TO FIVE

1 YEARS, WHICH HAS NEVER OCCURRED.

2 IT SEEMS TO ME THAT TAKING THE BEST  
3 OF WHAT YOU ARE SUGGESTING THIS GROUP, VIA  
4 PERHAPS THE CALIFORNIA DESERT CONSERVATION  
5 AREA, YOU KNOW, THAT OUGHT TO BE SOMETHING  
6 THAT WE WOULD URGE FISH AND WILDLIFE TO DO.

7 BECAUSE THE RECOVERY PLAN IS REALLY  
8 WHAT WE KEEP GOING BACK TO AND WE KEEP GOING  
9 BACK TO. AND LET IT THEN, YOU KNOW, BE  
10 CHANGED AS IT SHOULD BE.

11 BECAUSE ULTIMATELY, AS YOU SAY, HOW  
12 ARE YOU GOING TO MEASURE SUCCESS?

13 MICHAEL ALLEN: I AGREE WITH YOU  
14 ENTIRELY.

15 JON MCQUISTON: THE SECOND HAS TO DO  
16 WITH THE ECOSYSTEM BASED. I DON'T KNOW IF  
17 IT'S WHAT YOU MEANT TO SAY, BUT WHAT I  
18 INTERPRET IT IS REGIONS OR SUBREGIONS LIKE  
19 NECO AND NEMO ARE STAND-ALONE ECOSYSTEMS. AND  
20 THAT THESE PLANS THEN FIT WELL WITHIN THE  
21 MANAGEMENT STRATEGY FOR THAT ECOSYSTEM.

22 MICHAEL ALLEN: YES, ECOSYSTEM IS  
23 KIND OF -- IT'S A NEBULOUS CONCEPT, BUT IT  
24 DOES HAVE MEANING. AND THAT IS IT'S THE  
25 INTEGRATION OF ALL OF THE ABIOTIC AND BIOTIC



1 FACTORS THAT INFLUENCE A PARTICULAR SPECIES  
2 THAT WE ARE INTERESTED IN.

3 SO IT'S RAINFALL, IT'S NUTRIENT  
4 STAGES OF THE PLANTS. IT'S HUMAN ACTIVITIES  
5 AROUND.

6 AND THOSE OCCUR KIND OF WITHIN  
7 STAND-ALONE AREAS. AND SOME AREAS HAVE BEEN  
8 DEFINED AS THAT. THE GREATER YELLOW STONE  
9 ECOSYSTEM.

10 ALTHOUGH FOR SOME OF US IT KIND OF  
11 DRIVES US A LITTLE CRAZY. I AM NOT SURE WHAT  
12 THE BOUNDARIES ARE BUILT UPON.

13 BUT NEVERTHELESS THERE ARE ENTITIES  
14 THAT DO STAND APART AND CAN BE MANAGED IN WAYS  
15 THAT HOLD THE SYSTEM TOGETHER.

16 JON MCQUISTON: NOT SO MUCH A  
17 COMMENT OR A QUESTION, BUT SOMETIME DURING THE  
18 COURSE OF OUR DISCUSSION TODAY IN ONE OF THE  
19 STAFF REPORTS IT DEALS WITH COMMENTS RECEIVED  
20 WITH RESPECT TO THE NEMO AND THE NECO.

21 AND ONE OF THE REASONS THAT SOME  
22 COMMENTS WERE NOT CONSIDERED IS BECAUSE THEY  
23 ARE ISSUES THAT ARE LARGER IN SCOPE THAN THE  
24 NEMO PLANNING AREA WHICH CAN BE BETTER  
25 ADDRESSED AT ANOTHER LEVEL.

1                   SO MAYBE THERE CAN BE SOME  
2       DISCUSSION LATER IN WHAT ARE THOSE ISSUES.  
3       AND IF THEY ARE NOT GOING TO BE ADDRESSED IN  
4       THE NEMO AND THE NECO AND THE WEMO, HOW ARE  
5       THEY GOING TO BE ADDRESSED IN WHAT DOCUMENT  
6       AND WHAT RELATIONSHIP IS THAT TO THE ECOSYSTEM  
7       THAT WE ARE DEALING WITH HERE. I WOULD LIKE A  
8       LITTE CLEARER UNDERSTANDING OF THAT.

9                   THANK YOU.

10                  ILENE ANDERSON: I ACTUALLY HAVE A  
11       COUPLE OF COMMENTS. OR ONE COMMENT AND A  
12       COUPLE OF QUESTIONS FOR YOU.

13                  ONE, I WAS REALLY INTERESTED TO SEE  
14       IN YOUR COMMENT LETTER ABOUT THE EXOTIC  
15       SPECIES, BECAUSE THAT HAS BEEN A MAJOR ISSUE  
16       FOR ME BECAUSE I THINK IT'S CAUSING SOME REAL  
17       CHANGES ON THE DESERT.

18                  AND I DON'T KNOW WHAT THE ANSWERS  
19       ARE, BUT I CERTAINLY WOULD LIKE TO SEE THAT  
20       MORE EXPLORED.

21                  I ACTUALLY HAVE TWO QUESTIONS FOR  
22       YOU. AND ONE OF THEM IS WITH THIS SORT OF  
23       ABSENCE OF DATA ON -- I AM NOT JUST TALKING  
24       ABOUT THE DESERT TORTOISE, BUT OF ALL OF THE  
25       SPECIES OUT THERE THAT ARE ADDRESSED IN THE

1 PLAN.

2 YOU DON'T HAVE A LOT OF INFORMATION  
3 ON SOME OF THESE SPECIES. AND LIKELY THERE  
4 ISN'T GOING TO BE THE MONEY AVAILABLE TO DO A  
5 STUDY ON ALL OF THESE SPECIES TO ANSWER ALL OF  
6 THE QUESTIONS THAT WE HAVE ABOUT THEM. IT'S  
7 AN ONGOING ISSUE THAT I THINK WE ALL  
8 RECOGNIZE.

9 BUT FROM THE VIEWPOINT OF A  
10 CONSERVATION BIOLOGIST, CAN WE -- IT'S ALWAYS  
11 BEEN MY UNDERSTANDING THAT WITH THE LESS  
12 INFORMATION THAT WE KNOW ABOUT A SPECIES, THE  
13 MORE QUESTIONS THAT WE HAVE, THE MORE PRUDENT  
14 IT IS TO BE VERY JUDICIAL IN THE AMOUNT OF  
15 AREA THAT WE SET ASIDE TO SORT OF TRY TO  
16 PROTECT THESE SPECIES IN THE INTERIM.

17 AND I JUST WANTED TO HAVE A FEELING  
18 FROM YOU THAT IS THAT -- YOU KNOW, IS THAT  
19 WHAT HAS BEEN DONE SUCCESSFULLY IN THIS PLAN.

20 MICHAEL ALLEN: YES. THE ANSWER TO  
21 THE FIRST PART IS YES.

22 THAT IS KIND OF THE SCIENTIFIC  
23 FALL-BACK POSITION, WHICH IS ALWAYS THE MOST  
24 FRUSTRATING, IN THAT IF YOU DON'T KNOW, THEN  
25 YOU TRY TO ERROR ON THE SIDE OF THE LARGER

1 AREA.

2 BECAUSE WE KNOW FROM A BIOLOGICAL  
3 GEOLOGICAL THEORY, WE KNOW FROM A CONSERVATION  
4 THEORY THAT A LARGER AREA ENCOMPASSES MORE  
5 HABITAT AND PROVIDES MORE OPPORTUNITIES FOR  
6 THESE SPECIES TO MOVE UNDER THESE BAD  
7 CONDITIONS.

8 ON THE OTHER HAND, THAT IS OFTEN  
9 APPLIED INAPPROPRIATELY JUST TO A LARGE AREA  
10 RATHER THAN LOOKING AT WHERE THOSE AREAS ARE.

11 AND I THINK FROM WHAT I CAN TELL --  
12 AND I AM NOT AS FAMILIAR AS MANY OF YOU ARE  
13 WITH OF EACH OF THESE SPECIFIC LOCATIONS.

14 BUT FROM WHAT I CAN TELL, THE AREAS  
15 OF PROTECTION ARE REASONABLY WELL DISTRIBUTED.  
16 THAT'S A PERSONAL OPINION. THAT'S NOT THE  
17 OPINION OF THE SCIENTIFIC.

18 BUT THERE CERTAINLY WAS A LOT OF  
19 EFFORT TO INCORPORATE THE KINDS OF DIFFERENT  
20 HABITATS AND ACTIVITY IN THIS PARTICULAR PLAN.

21 ILENE ANDERSON: THEN MY SECOND  
22 QUESTION IS WITH REGARDS TO THE NECO PLAN,  
23 FROM MY UNDERSTANDING, RELIED ON MODELING FOR  
24 IDENTIFYING AREAS FOR CONSERVATION.

25 AND I NOTED IN SOME OF THE COMMENTS

1        THAT YOU HAD YOU RECOMMENDED ADDITIONAL  
2        MODELING.

3                BUT MY QUESTION IS, RIGHT NOW, WITH  
4        THE MODELING THAT THEY HAVE DONE, PRESUMABLY  
5        YOU REVIEWED THOSE TYPES OF MODELS AND WAS  
6        THAT A VALID MODELING? I DON'T EVEN KNOW WHAT  
7        YOU WOULD CALL IT.

8                MICHAEL ALLEN: MODELING EXERCISE?

9                ILENE ANDERSON: THANK YOU.

10               MICHAEL ALLEN: MODELING  
11        FRUSTRATION.

12               YES, IT WAS A FIRST STEP. THE FIRST  
13        STEP IS JUST TO IDENTIFY HOLES. AND SPECIAL  
14        HOLES. AND THAT WAS CERTAINLY WHAT WAS  
15        UNDERTAKEN. WHERE THE DIFFERENT SPECIES  
16        OVERLAP.

17               THE TYPES OF MODELING THAT WE CALLED  
18        FOR ARE THE KINDS THAT WOULD ACTUALLY GIVE US  
19        POPULATION TREND ANALYSES.

20               AND THAT'S ANOTHER LEVEL -- A  
21        TRICKIER ONE THAT PROBABLY AND CERTAINLY DOES  
22        REQUIRE SOME DIFFERENT KIND OF EXPERTISE THAN  
23        THE FOLKS THAT WERE INVOLVED INPUTTING THE  
24        PLAN.

25               AND THAT'S WHAT WE DO THEN IS

1 PARTICULARLY IMPORTANT, THINGS LIKE THE  
2 ADAPTIVE MANAGEMENT APPROACHES.

3 YOU KNOW, IT MAY BE THAT WHEN YOU  
4 LOOK AT A SPECIFIC AREA, THAT'S WHERE YOU  
5 PROBABLY NEED SOME KIND OF POPULATION  
6 ANALYSIS. A TREND ANALYSIS. BECAUSE YOU ARE  
7 GOING TO CLOSE OR OPEN OR NOT CHANGE AN AREA.

8 THOSE ARE THE KINDS OF ANALYSES THAT  
9 WILL GIVE YOU THAT KIND OF INFORMATION. AND  
10 THAT'S THE NEXT STEP.

11 ILENE ANDERSON: THANK YOU.

12 ANY OTHER QUESTIONS?

13 THANK YOU VERY MUCH.

14 (AUDIENCE APPLAUSE.)

15 OKAY. NEXT ON THE AGENDA WE ARE  
16 GOING TO HAVE A SUMMARY OF PUBLIC COMMENTS AND  
17 PLAN AMENDMENTS FOR ITS DRAFT NECO AND NEMO  
18 PLANS.

19 AND I THINK FOR THE DRAFT NECO PLAN  
20 WE WILL VISIT THAT FIRST. AND I BELIEVE GREG  
21 THOMSEN IS GOING TO GIVE THAT PRESENTATION.

22 GREG THOMSEN: GOOD MORNING. I AM  
23 GOING TO BE THE FIRST OF THREE SPEAKERS  
24 TALKING ABOUT THE THREE MOST COMMON ISSUES  
25 THAT WE HEARD FROM PUBLIC COMMENTS.

1                   AND I UNDERSTAND THAT WE RECEIVED  
2           OVER 1,600 COMMENTS THROUGH A VARIETY OF  
3           MEANS, SUCH AS THE MAIL, E-MAIL, PUBLIC  
4           MEETINGS AND OTHER SOURCES. SO CERTAINLY WE  
5           HEARD A LOT FROM PEOPLE LIKE YOURSELVES.

6                   AND OUR CHALLENGE -- WE APPRECIATE  
7           THOSE COMMENTS. WE WANT TO TRY TO UNDERSTAND  
8           THEM AND CERTAINLY WORK WITH THE COUNCIL AND  
9           WITH THE PUBLIC TO TRY TO FIGURE OUT HOW BEST  
10          TO USE THOSE COMMENTS IN SOLVING SOME OF THE  
11          COMPLEX ISSUES IN THE PLANS.

12                  THE FIRST ISSUE, THE ONE THAT I AM  
13          GOING TO TALK ABOUT, IS WATER DEVELOPMENT FOR  
14          WILDLIFE.

15                  THERE'S PROBABLY THREE MAIN ASPECTS  
16          OF THIS ISSUE THAT WE HEARD FROM DURING THE  
17          PUBLIC COMMENT PERIOD.

18                  THE FIRST ONE IS INTEREST IN  
19          BUILDING A HEALTHY POPULATION OF DEER AND  
20          BIGHORN SHEEP.

21                  SOME OF THE SPECIFIC CONCERNS IN  
22          THAT REGARD -- AND NORM TALKED ABOUT SOME OF  
23          THEM -- IS THAT THE HABITAT FOR THESE SPECIES  
24          IS FRAGMENTED BY FREEWAYS, CANALS AND OTHER  
25          FEATURES THAT AFFECT BOTH MIGRATION WITHIN THE

1 RANGE OF BOTH SPECIES.

2 AND THE BELIEF IN SOME OF THE  
3 COMMENTS THAT WE RECEIVED, AS A RESULT THAT'S  
4 AFFECTED THE HEALTH OF THESE BOTH POPULATIONS.

5 ANOTHER ASPECT OF THIS IS CLIMATIC  
6 CHANGES. PARTICULARLY LONG DROUGHT PERIODS  
7 WHICH HAVE PLACED ADDITIONAL STRESS ON THE  
8 ANIMALS.

9 AND CERTAINLY THEY LIVE IN QUITE A  
10 HARSH ENVIRONMENT, PARTICULARLY DURING THE  
11 SUMMER MONTHS.

12 THE THIRD ASPECT OF HEALTHY  
13 POPULATIONS THAT WE HEARD WAS THAT MAN HAS  
14 IMPACTED MANY OF THE NATURAL WATERS THESE  
15 ANIMALS HAVE HISTORICALLY DEPENDED ON.

16 AND PROBABLY THE MOST IMPORTANT  
17 EXAMPLE OF THAT IS THAT YOU'VE HEARD THAT  
18 GENERAL PATTON USED TO TRAIN HIS TROOPS OUT IN  
19 THE AREA AND HE WANTED TO TRAIN THEM IN DESERT  
20 SURVIVAL.

21 AND SO WHEN HE FOUND THAT THEY WERE  
22 USING THESE NATURAL WATERS AS A WAY TO GET  
23 AROUND HIS HARSH TRAINING, HE WENT AHEAD AND  
24 DESTROYED THE WATERS.

25 SO THESE WATERING SITES -- WHAT



1 WE'VE HEARD HISTORICALLY THAT THESE ANIMALS  
2 DEPENDED ON ARE NO LONGER THERE.

3 OKAY, THE SECOND THEME IN THE ISSUE  
4 OF WATER DEVELOPMENTS THAT WE HEARD FROM  
5 COMMENTS IS SOCIOECONOMIC AND RECREATIONAL  
6 BENEFITS THAT THESE WATERS WILL PROVIDE.

7 THERE IS A LONGSTANDING TRADITION IN  
8 IMPERIAL COUNTY OF THE CONSERVATION OF  
9 WILDLIFE. I THINK IT'S SORT OF BUILT INTO THE  
10 CULTURE OF A LOT OF THE PEOPLE HERE.

11 SO THIS IS SORT OF A HANDS-ON  
12 APPROACH OF GETTING OUT INTO THE DESERT AND  
13 TAKING ON PROJECTS SUCH AS INSTALLING WILDLIFE  
14 WATERERS THAT VALLEY RESIDENTS SUCH AS DESERT  
15 WILDLIFE UNLIMITED BELIEVE HELP THE DEER AND  
16 BIGHORN POPULATIONS.

17 ANOTHER PART OF THIS IS THE VALUE  
18 THAT PEOPLE FROM NOT ONLY THE VALLEY, BUT  
19 ELSEWHERE, FROM A BROADER REGION, PLACE ON  
20 THINGS LIKE HUNTING AND JUST APPRECIATION OF  
21 THE WILDLIFE IN THE DESERT. AND CERTAINLY  
22 THESE PEOPLE HAVE A LOT OF PRIDE OF OWNERSHIP  
23 IN THE DESERT THAT THEY ENJOY.

24 ADDITIONALLY, THE COUNTY -- OR  
25 PROBABLY IT'S MORE LIKE TWO COUNTIES, AT

1       LEAST -- IMPERIAL COUNTY HERE IN CALIFORNIA  
2       AND YUMA COUNTY IN ARIZONA ARE VERY INTERESTED  
3       IN THE ECONOMIC BENEFITS THAT THEY BELIEVE  
4       THAT THE RECREATIONISTS PROVIDE.

5               THE COUNTIES FEEL THAT THIS IS A  
6       SIGNIFICANT SOURCE OF INCOME IN A REGION THAT  
7       REALLY HAS STRUGGLED ECONOMICALLY.

8               AND THERE WERE QUESTIONS THAT CAME  
9       UP ON THE TOUR YESTERDAY WHAT KIND OF NUMBERS  
10      ARE WE TALKING ABOUT.

11              AND AS I RECALL, RANDY SAID THAT  
12      SEVERAL YEARS AGO THERE WAS A FIGURE OF MAYBE  
13      50 MILLION DOLLARS.

14              RANDY RISTER: 55 MILLION.

15              GREG THOMSEN: 55 MILLION?

16              OKAY. THE THIRD AND LAST THEME IN  
17      THE ISSUE OF WATER DEVELOPMENTS THAT WE HEARD  
18      IS SORT OF ON THE OTHER SIDE OF THE COIN.

19              THE IMPACTS THAT SOME PEOPLE FEEL  
20      THESE WATERS HAVE ON NATURAL RESOURCES,  
21      INCLUDING WILDERNESS AREAS.

22              THERE IS A CONCERN THAT THESE WATERS  
23      CREATE POTENTIALLY NEGATIVE IMPACTS TO OTHER  
24      WILDLIFE SPECIES AND THEIR HABITATS, SUCH AS  
25      TDESERT TORTOISE, WHICH IS SOMETHING WE HAVE

1       BEEN TALKING ABOUT.

2               THERE IS ALSO A STRONG FEELING AMONG  
3       SOME INDIVIDUALS AND ORGANIZATIONS THAT  
4       INSTALLING WATERERS IN WILDERNESS AREAS IS  
5       INAPPROPRIATE AND AFFECTS THE NATURALNESS OF  
6       THOSE AREAS.

7               THEY BELIEVE THAT ARTIFICIAL  
8       WATERERS ARE INCONSISTENT IN WILDLIFE  
9       DESIGNATED AREAS IN THE FIRST PLACE.

10              AND FINALLY, SOME PEOPLE QUESTIONED  
11      WHETHER THESE MAN-MADE WILDLIFE WATERERS IN  
12      FACT DO BENEFIT THE DEER AND BIGHORN SHEEP  
13      THAT THEY ARE DESIGNED TO HELP.

14              SOME OF THESE PEOPLE TOLD US THAT  
15      THEY FEEL THAT THERE IS NO PROOF THAT THE  
16      WATERERS ARE BENEFICIAL AND THAT IN FACT THEY  
17      MAY ACTUALLY CAUSE SOME PROBLEMS.

18              SO THAT'S A SUMMARY OF THE ISSUE OF  
19      WILDLIFE WATERERS.  WHAT WE HAVE HEARD.  
20      CERTAINLY THERE IS SOME STRONG FEELINGS.

21              AND OUR TASK NOW IS TO WORK WITH THE  
22      COUNCIL AND EVENTUALLY WITH THE PUBLIC AGAIN  
23      IN THE LATER STAGES OF THE PLANNING PROCESS TO  
24      SEE HOW WE CAN TAKE THESE COMMENTS FROM THE  
25      VARIOUS PARTIES AND PUT THEM TO USE.

1                   NEXT I BELIEVE IS --

2                   WELL, DO YOU HAVE ANY QUESTIONS? I  
3                   WAS PRETTY MUCH KIND OF JUST SUMMARIZING WHAT  
4                   WE HEARD.

5                   ILENE ANDERSON: ANY QUESTIONS?

6                   BILL BETTERLY: I WANTED TO  
7                   COMPLIMENT YOU AND THE COUNTY OF IMPERIAL FOR  
8                   THE WATERERS THAT WE WITNESSED YESTERDAY AND  
9                   HOW IT FUNCTIONED. IT WAS VERY GOOD.

10                  RANDY RISTER: THANK YOU.

11                  ONE THING I WOULD LIKE TO CLARIFY  
12                  CONCERNING THE WATER SOURCE WE VISITED  
13                  YESTERDAY. THE QUESTION THAT WAS RAISED ABOUT  
14                  BUILDING NEW ROADS IN WILDERNESS TO ESTABLISH  
15                  THESE WATER SOURCES.

16                  AND I INDICATED THAT THERE ARE  
17                  EXISTING ROADS FROM THE PREVIOUS TWO CENTURIES  
18                  THAT ARE IN THE WILDERNESS AREAS, BUT THEY DO  
19                  NOT COUNT AS PAVED ROADS OR MAINTAINED ROADS.

20                  SO ADMINISTRATIVELY THOSE ROADS WERE  
21                  ELIMINATED SO THOSE AREAS COULD BE DESIGNATED  
22                  AS WILDERNESS.

23                  AND I NEEDED -- AT THE TIME I DIDN'T  
24                  HAVE THIS, BUT I NEED TO ADD THAT THE  
25                  CONSERVATIONISTS WHO BUILT THE WATER SOURCES

1 HAVE NEVER BUILT ANY ROADS THROUGH ANY OF  
2 THESE WATERS SOURCES.

3 IN EACH CASE THEY USED PREEXISTING  
4 ROADS EITHER FROM PATTON'S MILITARY OPERATION  
5 OR FROM MINING ACTIVITIES OR ROADS THAT WERE  
6 BUILT UNDER RS2477 OR THEY HAVE USED THE  
7 WASHES TO GET TO THE ROADS -- TO GET ACCESS OF  
8 THEIR EQUIPMENT AND MATERIALS TO THESE WATER  
9 SOURCES.

10 FURTHER, THE WILDERNESS BILL OF 1994  
11 HAD SPECIFIC LANGUAGE ADDED INTO THAT THAT NO  
12 OTHER BILL EVER CONTAINED THAT ACCESS --  
13 MOTORIZED ACCESS FOR LAW ENFORCEMENT, SEARCH  
14 AND RESCUE AND WATER SOURCES WOULD BE ALLOWED  
15 IN THESE NEWLY ESTABLISHED WILDERNESS AREAS.

16 SO THAT WAS IN THE ACTUAL BILL THAT  
17 WAS PASSED IN '94.

18 AND WHAT WE HAVE ATTEMPTED TO DO IN  
19 ALL CASES -- I THINK WE HAVE DONE A PRETTY  
20 GOOD JOB -- IS WE HAVE WORKED WITH THE BLM IN  
21 SECTIONS WHERE WATERS COULD BE COLLECTED.

22 AGAIN WATER HUNTING IS SOMEWHAT LIKE  
23 MINING. YOU GET IT WHEN YOU CAN GET IT, YOU  
24 KNOW. YOU NEED THE WASHES, YOU NEED THE  
25 DESERT PLAYERS, YOU NEED TINAJAS OR THE

1 WATERFALLS, WHATEVER, TO GET TO IT.

2 BUT THERE HAS BEEN PROBLEMS WITH  
3 SOME OF THE WILDERNESS AREAS. FOR EXAMPLE, IN  
4 THE INDIAN PASS WHERE THERE WERE NINE TINAJAS  
5 THAT WERE IN THERE PRIOR TO BECOMING  
6 WILDERNESS.

7 CURRENTLY I THINK THAT THERE HAS  
8 BEEN -- BECAUSE OF PROBLEMS WITH ACCESS AND  
9 PROBLEMS OF PERMITTING, THERE HAS BEEN VERY  
10 LITTLE MAINTENANCE AND MANY OF THOSE NATURAL  
11 TINAJAS HAVE SINCE FILLED IN WITH SAND AND  
12 GRAVEL.

13 RATHER THAN GO INTO THE WILDERNESS  
14 ON A CONTINUOUS BASIS AND JACKHAMMER OUT  
15 DEPTHS TO THE NEW HOLES AND REMOVE SAND AND  
16 GRAVEL OUT OF THESE TINAJAS, WE HAVE IN FACT  
17 TRIED TO WORK WITH BLM TO BRING WILDERNESS  
18 AREAS WITH NEW WATER SOURCES SO THAT WE CAN  
19 GET TO THOSE FROM EXISTING ROADS AND ACTUALLY  
20 BUILD THOSE AND MAINTAIN THOSE WITHOUT GOING  
21 INTO THE WILDERNESS.

22 BUT THAT'S NOT THE CASE IN ALL  
23 WILDERNESS AREAS. IN SOME WILDERNESS AREAS  
24 YOU DO HAVE TO GO IN AND MAINTAIN THOSE WATER  
25 SOURCES.

1                   SO AGAIN, I WANT TO COMPLIMENT THE  
2           GREAT STAFF IN WORKING WITH THE WILDLIFE  
3           CONSERVATION SERVICE HERE IN IMPERIAL COUNTY.

4                   AND I KNOW THERE HAS ABOUT BEEN SOME  
5           CONTENTION IN SOME AREAS. WE ARE WORKING WITH  
6           MOLLY'S OFFICE ON THE SHEEPHOLES AND THAT IS  
7           GOING TO TAKE A WHILE TO GET THAT ACHIEVED.

8                   BUT AGAIN, LIKE WHAT YOU SAW  
9           YESTERDAY IN SOME OF THOSE PICTURES, IF YOU  
10          DON'T GO IN AND MAINTAIN SOME OF THESE  
11          WILDERNESS WATER SOURCES, YOU LOSE THE  
12          ENTIRE -- 50 PERCENT OF THE ANIMALS.

13                  SO AGAIN, IT'S BEEN A LEARNING  
14          PROCESS. BUT WE ARE JUST TRYING TO GET THE  
15          BUMPS IN THE ROAD IRONED OUT SO THAT WE CAN  
16          CONTINUE TO KEEP THOSE VIABLE BIGHORN SHEEP  
17          AND OTHER WILDLIFE POPULATIONS SUSTAINED WITH  
18          WATER IN THE SUMMER MONTHS IN THOSE WILDERNESS  
19          AREAS.

20                  SO I APPLAUD THE BLM IN TRYING.

21                  BOB ELLIS: A POINT OF ORDER MAYBE.

22                  I AM NOT SURE WHAT THE INTENT HERE  
23          IS ON HOW TO COVER THE MATERIAL. BECAUSE IF  
24          WE ARE TALKING ABOUT COMMENTS AND WHETHER --  
25          HOW THE COMMENTS ARE TREATED AND RATHER THAN

1 THE SPECIFICS OF THE ISSUES, THEN I THINK WE  
2 SHOULD MOVE ON.

3 BUT IF WE DO WANT TO TREAT THESE  
4 ISSUES, THEN WE SHOULD HAVE A GENERAL  
5 DISCUSSION ON THEM.

6 ILENE ANDERSON: I WOULD LIKE TO SEE  
7 US GO AHEAD AND FRAME THE QUESTIONS FOR THE  
8 COUNCIL, THEN COME BACK AND REVISIT EACH ONE  
9 OF THESE ISSUES.

10 BOB ELLIS: SO DOES THAT MEAN THAT  
11 AFTER LUNCH WE WILL HAVE A DISCUSSION ON WATER  
12 SOURCES?

13 ILENE ANDERSON: YES.

14 BOB ELLIS: OKAY. SO NOW OUR  
15 COMMENTS WOULD BE WITH RESPECT TO THE COMMENTS  
16 THEMSELVES AND THE PRESENTATION OF THAT?

17 ILENE ANDERSON: YES. IT'S MY  
18 THOUGHT AND HOW WE HAD LAID OUT THE AGENDA --  
19 AND OF COURSE THE AGENDA CHANGED -- BUT AT  
20 LEAST TO GET THROUGH THE ISSUES THAT WE WOULD  
21 HAVE A FULL DISCUSSION ON IN THE AFTERNOON.

22 BOB ELLIS: EXCUSE ME. HOW MANY  
23 COMMENTS ARE THERE ON THIS ISSUE?

24 GREG THOMSEN: I WILL ASK DICK CROWE  
25 TO HELP ME ON THAT.



1                   DICK CROWE:  IN THE ANALYSIS THAT  
2           WAS DONE FOR THIS PARTICULAR MEETING IN GOING  
3           THROUGH THE 1,600 COMMENTS, THE FOCUS WAS ON  
4           PULLING OUT THE ESSENCE OF THE COMMENTS AND  
5           TRYING TO GROUP THEM AS MUCH AS YOU SEE ON THE  
6           TABLES.  AND NOT -- BUT NOT BACKING IT UP WITH  
7           NUMBERS.

8                   SO IT'S HARD TO SAY OTHER THAN THE  
9           USE OF BOLD TYPE OR NONBOLD TYPE, THAT BOLD  
10          INDICATES A PREPONDERANCE OF MULTIPLE COMMENTS  
11          OF THAT NATURE WHEREAS NONBOLD INDICATES ONE  
12          OR JUST A FEW.  BUT I DON'T HAVE -- I CAN'T  
13          PROVIDE NUMBERS IN THOSE AREAS.

14                   ILENE ANDERSON:  THANK YOU.

15                   OKAY.  I THINK I WOULD LIKE TO GO ON  
16          TO THE NEXT ISSUE AREA.

17                   AND I GUESS JIM KENNA IS GOING TO BE  
18          TALKING ABOUT THE NEXT ISSUE AREA.

19                   JIM KENNA:  ALL RIGHT.  I AM GOING  
20          TO PASS AROUND -- YOU HAVE THE DETAILED  
21          CHARTS, I BELIEVE, FROM BOTH THE NECO AND NEMO  
22          PLANS.

23                   BUT WHAT I HAVE TO DO, JUST BECAUSE  
24          I THINK THAT WAY -- AND PARTLY BECAUSE RON  
25          MENTIONED THIS YESTERDAY -- IS TRYING TO

1 WHITTLE DOWN AND GIVE YOU A QUICK SUMMARY OF  
2 PUBLIC COMMENTS ON ACCESS.

3 I TRIED TO PUT IT ON ONE PAGE SO YOU  
4 COULD LOOK AT THE WHOLE THING AT ONCE AND GET  
5 A GOOD SENSE OF WHAT WE HEARD.

6 FIRST IN TERMS OF PUBLIC COMMENTS  
7 RECEIVED, THIS IS THE DOMINANT ISSUE IN TERMS  
8 OF COMMENTS. NUMBER OF COMMENTS.

9 AND NECO REPRESENTS 35 PERCENT OF  
10 THE COMMENTS AND NEMO REPRESENTS 38 PERCENT OF  
11 THE COMMENTS THAT CAME IN AND MADE SOME  
12 REFERENCE TO AN ACCESS ISSUE.

13 MY PURPOSE BASICALLY IS JUST TO GIVE  
14 YOU A THUMBNAIL OR A QUICK LOOK AT THOSE  
15 COMMENTS WHICH IS REPRESENTED IN THE HANDOUT  
16 THAT I GAVE YOU.

17 THE FIRST ONE IS THE EFFECTS ON  
18 RECREATION OPPORTUNITIES. AND THIS BASICALLY  
19 I THINK HAS THREE COMPONENTS TO IT.

20 THE FIRST RELATES TO OPPORTUNITY.  
21 PEOPLE CONCERNED THAT THINGS ARE HAPPENING  
22 THAT OVER TIME AND OVER A VERY LARGE AREA ARE  
23 AFFECTING THE GENERAL AVAILABILITY OF VEHICLE  
24 RECREATION.

25 EXAMPLES CITED INCLUDE THE

1 CALIFORNIA DESERT PROTECTION ACT, EXISTENCE OF  
2 NATIONAL FORESTS, MILITARY WITHDRAWAL OF  
3 WILDERNESS AND A GENERAL REGIONAL TREND TO  
4 FEWER OPPORTUNITIES FOR THAT KIND OF  
5 RECREATION.

6 IN ADDITION TO THAT I WOULD ADD  
7 THERE WERE A NUMBER OF COMMENTS THAT ADDRESS  
8 THE FEAR THAT THIS TREND WILL CONTINUE AND  
9 THAT THE OPPORTUNITIES WILL CONTINUE TO GET  
10 SMALLER.

11 THE SECOND AREA IS THAT THERE IS A  
12 CHANGE IN THE VARIETY AND TECHNICAL CHALLENGE  
13 OF THOSE RECREATIONAL OPPORTUNITIES THAT ARE  
14 AVAILABLE. AGAIN, THAT FOCUSES ON THE  
15 VEHICLES.

16 AND THERE ARE REALLY TWO  
17 PERSPECTIVES THAT ARE RECOMMENDED IN THE  
18 COMMENTS.

19 ONE IS THAT THE REDUNDANT ROUTES  
20 THAT ARE PROPOSED FOR CLOSURE, THE THREE  
21 PERCENT THAT'S BEEN REFERENCED PREVIOUSLY, AND  
22 THE TWO OPEN AREAS RICE VALLEY AND FORD DRY  
23 LAKE PROPOSED FOR CLOSURES WERE PART OF THE  
24 VARIETY AND DIFFERENT KINDS OF CHALLENGES THAT  
25 MIGHT BE AVAILABLE.

1                   THE SECOND POINT OF VIEW IS THAT  
2           THESE ARE OPPORTUNITIES THAT NEED TO BE  
3           CONSTRAINED GENERALLY FOR THE PURPOSES OF THE  
4           PROTECTION OF SPECIES.

5                   THE THIRD AREA IS THAT -- OF COMMENT  
6           HAS TO DO WITH THE EFFECTS THAT ARE THERE.  
7           IT'S GENERALLY THAT THE EFFECTS ARE MUCH  
8           LARGER THAN ANY LOCALIZED EFFECT THAT MIGHT BE  
9           DISCUSSED ON ANY GIVEN AREA.

10                   PRINCIPAL AMONG SOME OF THOSE  
11           CONCERNS ARE THE ECONOMIC EFFECTS THAT HAVE  
12           BEEN EXPRESSED, WHETHER IT BE AT THE BUSINESS  
13           LEVEL OR FAMILY OR FRIENDS IN THE COMMUNITY  
14           LEVEL.

15                   THE SECOND AREA THERE IS THAT THERE  
16           ARE RELATIONSHIPS BETWEEN WHAT'S GOING ON IN  
17           ANY ONE GIVEN RECREATION AREA TO ANOTHER.  
18           INCLUDING ONE SPECIFIC REFERENCE WOULD BE THE  
19           CALIFORNIA BACKCOUNTRY DISCOVERY.

20                   AND THE THIRD THING IS THAT THERE  
21           ARE OTHER USES THAT ARE INVOLVED THAT MAY NOT  
22           HAVE -- PEOPLE MAY NOT DIRECTLY THINK ABOUT AS  
23           RECREATION, WHETHER THEY ARE EDUCATIONAL USES  
24           OR EQUESTRIAN USES OR ROCKHOUNDING USES OR  
25           SCOUTING.

1                   THAT'S THE FIRST ISSUE.

2                   THE SECOND ISSUE IS THE ADEQUACY OF  
3                   THE ROAD MAP ITSELF.

4                   THERE ARE A NUMBER OF ISSUES THAT  
5                   WERE RAISED OR CONCERNS THAT WERE RAISED  
6                   RELATIVE TO THE INVENTORY ITSELF.

7                   THE ACCURACY CONCERNS RELATE TO WAS  
8                   THE QUALITY ALL THAT IT SHOULD HAVE BEEN.  
9                   SOME EVEN TO THE TIMING OF THE POINT OF  
10                  REFERENCE.  WHETHER IT SHOULD HAVE BEEN THEN  
11                  OR IN 1976.

12                  THEN THE LAST PART OF THE ADEQUACY  
13                  ISSUE OR THE INVENTORY ISSUE, THERE WERE  
14                  CONCERNS ABOUT THE VARIOUS TYPES OF CRITERIA  
15                  THAT WERE USED TO ANALYZE.  ONE BEING THE  
16                  REDUNDANCY ISSUE.  ANOTHER BEING THE QUARTER  
17                  MILE FROM WATER.  THAT SORT OF THING.

18                  THE SECOND PART OF THIS IS THE  
19                  ACCESSIBILITY TO DIFFERENT AREAS.  AND THERE  
20                  WERE SOME CASES WHERE THERE WERE SPECIFIC  
21                  AREAS DESCRIBED AND DISCUSSED IN COMMENTS.

22                  BUT IN GENERAL THE SUMMARY THAT I  
23                  HAD HERE WAS THE ROCKHOUDING AREAS THAT CAME  
24                  UP IN SPECIFICS.  AND THERE WERE SOME  
25                  CITATIONS IN THOSE COMMENTS TO A PREVIOUS

1       IMPACT TO THE WILDERNESS DESIGNATION AND THE  
2       EFFECT ON ROCKHOUNDING.

3               ACCESS FOR HUNTING AND MAINTENANCE  
4       OF ARTIFICIAL WATERS.  GENERALLY THERE WERE  
5       SOME COMMENTS THAT ALSO SAID THEY WERE  
6       PREFERRED IN RESPECT TO THAT IF IT BECAME AN  
7       ISSUE.

8               AND THEN THERE WAS ANOTHER SET OF  
9       COMMENTS THAT RELATED TO EFFECTS UPON COUNTY  
10      ROADS, FOR EXAMPLE, AND/OR ACCESS TO PRIVATE  
11      LAND.

12              WASHES WERE THE THIRD PART OF THE  
13      ADEQUACY OF THE VEHICLE ROUTE NETWORK.

14              THERE IS A GENERAL SET OF COMMENTS  
15      THAT HAS TO DO WITH THE NEED FOR MORE OR THE  
16      NEED FOR LESS.

17              THERE WERE ALSO COMMENTS THAT THERE  
18      WERE NEGATIVE EFFECTS ASSOCIATED WITH THE USE  
19      OF WASHES.  AND THE COUNTERPOINT TO THAT IS  
20      THAT THOSE ARE NOT WELL DOCUMENTED OR ARE  
21      INADEQUATELY ANALYZED.

22              AND THEN THERE WAS A THIRD ASPECT  
23      RELATED TO WASHES.  THERE WAS SOME CONCERN AS  
24      TO WHETHER OR NOT INDIVIDUAL WASHES SHOULD BE  
25      DEALT WITH ONE AT A TIME OR WHETHER THERE

1 SHOULD BE ANY GROUPING OF WASHES IN TERMS OF  
2 THE ANALYSIS OF DESIGNATION.

3 THE LAST AREA UNDER THE ISSUE OF  
4 ACCESS RELATES TO THE ADEQUACY OF RESOURCE  
5 PROTECTION.

6 THE FIRST AREA HAS MORE TO DO WITH  
7 THE HABITAT ITSELF. ISSUES THAT RELATE TO  
8 THAT ONE INCLUDE FRAGMENTATION. IMPACT OF  
9 VEGETATION. WEEDS. THAT SORT OF THING.

10 THE COMMENTS AGAIN IS THAT THE USE  
11 OF WASHES ADVERSELY EFFECTS BOTH THE WASHES  
12 THEMSELVES AND THE DESERT TORTOISE. AND THAT  
13 THERE WERE COMMENTS RELATED TO SPECIFIC  
14 ROUTES. THE CHEMEHUEVI WASH, FOR EXAMPLE.

15 THERE WERE SOME COMMENTS IN THERE  
16 THAT SAID WE NEED TO ADDRESS IN ADDITION TO  
17 WHAT'S IN THERE THE BORDER PATROL ACTIVITIES  
18 AND THEIR EFFECTS ON SENSITIVE AREAS.

19 AND THEN THE COMMENT CAME UP AGAIN  
20 THAT THERE ISN'T THE DATA OR CASE MADE  
21 RELATIVE TO THE IMPACTS ON HABITAT FROM  
22 VEHICLE USE.

23 THE SECOND AREA UNDER RESOURCE  
24 PROTECTION WOULD BE IMPACT TO THE SPECIES  
25 THEMSELVES.

1                   AND AGAIN THAT COMMENT IS IN WHAT WE  
2       RECEIVED.   THAT THERE ISN'T DATA OR A CASE  
3       MADE RELATIVE TO IMPACTS ON THE SPECIES.

4                   THE SECOND COMMENT IN THIS AREA IS  
5       THE CULPRITS.   PRIMARY CULPRITS ARE OTHER  
6       THINGS SUCH AS THE RAVENS, BURROS AND DISEASE.

7                   AND THEN LASTLY THERE WERE COMMENTS  
8       THAT SAYS THAT WE HAVE TO HAVE SOME REDUCTION  
9       IN VEHICLE USE IN ORDER TO PROTECT SPECIES.

10                  THE THIRD AND LAST AREA THAT I WOULD  
11       MENTION -- I GUESS I WOULD CHARACTERIZE THIS  
12       PERCEPTION AS ONE-SIDED.   IN OTHER WORDS, YOU  
13       MIGHT HAVE AN OPPOSITION TO THIS, SOME BIAS  
14       THAT AREAS CLOSED AT THIS POINT AND ARE  
15       UNAVAILABLE FOR VEHICLE RECREATION SHOULD NOT  
16       BE COUNTED FOR CONSERVATION IF IT'S REALLY  
17       ABOUT GETTING MORE CONSERVATION IN PLACE.

18                  THE COUNTERPOINT TO THAT, OF COURSE,  
19       IS THAT THERE IS ALREADY A LOT OF HOLES FOR  
20       CONSERVATION AND ENOUGH IS ENOUGH.

21                  SO I GUESS THAT'S MY SUMMARY OF I  
22       THINK WHAT WE RECEIVED OF PUBLIC COMMENTS AND  
23       HOPEFULLY THAT HELPS YOU GET AROUND THE ISSUE.

24                  ILENE ANDERSON:   ANY QUESTIONS?

25                  RON KEMPER:   MADAM CHAIR?   RON



1 KEMPER.

2 UNDER YOUR THIRD ITEM "C", ADEQUACY  
3 OF RESOURCE PROTECTION, AND IN PARTICULAR ITEM  
4 2, WHEN WE TALK ABOUT OTHER CAUSES ARE  
5 CULPRITS IN SPECIES IMPACT ISSUES RAVENS,  
6 BURROS AND DISEASE, DID WE NOT GET ANY PUBLIC  
7 COMMENT ON OTHER TYPES OF PREDATORS SUCH AS  
8 COYOTES, PRARIE DOGS, KIT FOXES, BADGERS?

9 JIM KENNA: WE MAY HAVE. I DON'T  
10 HAVE THAT KIND OF DETAILED KNOWLEDGE. WHAT I  
11 WAS TRYING TO DO WAS PULL OUT -- AND I CAN'T  
12 GIVE YOU A RECOLLECTION RELATIVE TO YOUR  
13 QUESTION. I WAS TRYING TO PULL OUT COMMENTS  
14 THAT SEEMED TO HAVE A COMMON THREAD THROUGH  
15 EVERYTHING AND GIVE YOU THAT THUMBNAIL.

16 RON KEMPER: THE REASON I ASK IS IN  
17 TALKING WITH SOME OF THE TORTOISE EXPERTS,  
18 THAT THEY HAVE SEEN A LOT OF PREDATOR  
19 ACTIVITY -- NOT ONLY ON THE TORTOISE ITSELF,  
20 BUT ON ITS NESTS, YOU KNOW, IN THE FORM OF KIT  
21 FOXES AND COYOTES.

22 IT'S JUST A QUESTION.

23 ILENE ANDERSON: I SEE AN  
24 OPPORTUNITY TO DISCUSS THAT IN GREATER DETAIL  
25 THIS AFTERNOON.

1                   ROY DENNER: I KNOW THAT YOU HAVE  
2       RECEIVED COMMON LEGAL OPINION LETTERS ON BOTH  
3       OF THESE PLANS ADDRESSING THE ADEQUACY OF THE  
4       PLANS TO MEET THE ENVIRONMENTAL LAW  
5       REQUIREMENTS.

6                   I WOULD THINK THAT THAT WOULD BE A  
7       MAJOR CATEGORY OF COMMENTS THAT THE DAC WOULD  
8       WANT TO HEAR ABOUT. THAT THERE IS A VERY GOOD  
9       CHANCE THAT THESE PLANS YOU ARE ATTEMPTING TO  
10      DEPLOY OR BE PROPOSED COULD LEAD TO  
11      LITIGATION. AND THE SOONER PEOPLE KNOW ABOUT  
12      IT THE BETTER.

13                  JIM KENNA: I AM GOING TO TRY -- I  
14      WILL TRY NOT TO BE TOO FLIPPANT. BUT, YEAH, I  
15      SUSPECT WITH TODAY'S ENVIRONMENT THAT ANY PLAN  
16      THAT WE DO HAVE HAS THAT SUSCEPTIBILITY.

17                  WHAT I TRIED TO DO HERE IS TO FOCUS  
18      IN ON THOSE COMMENTS SPECIFIC TO ACCESS AND  
19      THE CONTENT OF THE PLAN RELATIVE TO ACCESS.  
20      AND FRANKLY THAT IS THAT 38 PERCENT, 35  
21      PERCENT.

22                  I WOULD ACKNOWLEDGE THAT THERE ARE  
23      COMMENTS THAT RELATE TO LEGAL ISSUES. AND YOU  
24      ARE RIGHT, THAT'S NOT REPRESENTED HERE.

25                  JON MCQUISTON: JUST CARRYING ON

1 WITH THAT FOR A MINUTE.

2 THAT WAS THE WORRISOME PART TO ME.  
3 BECAUSE THE ACTUAL DECISION-MAKING PROCESS  
4 WHEN WE HAVE A DRAFT ENVIRONMENTAL IMPACT  
5 STATEMENT HERE, AND AT SOME POINT IN TIME THIS  
6 IS GOING TO HAVE TO GO TO A RECORD DECISION.

7 AND THE PROCESS ITSELF IS WHAT SEEMS  
8 TO ALWAYS COME INTO QUESTION BASED ON THE  
9 INFORMATION IN THE RECORD.

10 AND IT WAS WORRISOME INsofar AS IN  
11 BOTH THE COMMENTS WHERE WE -- COMMENTS THAT DO  
12 NOT ADDRESS THE ISSUES AND ARE NOT FURTHER  
13 ANALYZED.

14 THINGS LIKE IMPACTS OR  
15 SEGMENTATIONS. THE VERY STEPS THAT YOU GO  
16 THROUGH IN REACHING THE RECORD DECISION. AND  
17 IT WAS WORRISOME TO ME THAT WE JUST KIND OF  
18 BRUSH THOSE OFF AND SAY WE ARE NOT GOING TO  
19 TALK ABOUT THEM.

20 SO I DON'T KNOW WHEN IS THE  
21 APPROPRIATE TIME TO DO IT. BUT I DO KNOW FROM  
22 MY OWN PERSPECTIVE THAT GENERALLY, UNDER THE  
23 PROCESS YOU ARE GOING THROUGH, NEPA, AN  
24 ENVIRONMENTAL IMPACT STATEMENT, THE THING THAT  
25 COMES INTO PLAY IS HOW DID YOU MAKE YOUR

1       DECISION.  NOT SO MUCH WHAT YOUR DECISION WAS,  
2       BUT HOW YOU REACHED IT.  AND SOME OF THE  
3       THRESHOLD STEPS.

4               THIS IS JUST MY STATEMENT.  BUT IF  
5       WE DON'T ANALYZE IT AND WE DON'T CONSIDER,  
6       WHATEVER WORDS YOU WANT TO DO, THAT TO ME IS  
7       ON ITS FACE THE VERY THING THAT YOU HAVE TO DO  
8       UNDER THE DECISION-MAKING PROCESS.

9               JIM KENNA:  I THINK THAT'S A VERY  
10       GOOD COMMENT.  AND I GUESS IF I COULD DIGRESS  
11       AND SORT OF EXPRESS THE BLM INTENT.

12               WE HAVE PEOPLE AND WE WILL CONSULT  
13       PEOPLE RELATIVE TO THE LEGAL ISSUES.  WE HAVE  
14       EXPERTISE.  WE HAVE THE NATIONAL MARKETING  
15       POLICY AGENTS AND ALL OF THAT.

16               BUT OUR PURPOSE TODAY OR MY PURPOSE  
17       TODAY I THINK IS TO REALLY TAKE ADVANTAGE OF  
18       THE PEOPLE IN THIS GROUP AND HIGHLIGHT THOSE  
19       THINGS, THE CONTENT KIND OF QUESTIONING THAT  
20       WE RECEIVED IN THE PUBLIC COMMENT IN THE HOPES  
21       THAT YOU CAN HELP US SORT OUT, YOU KNOW, HOW  
22       WE WANT TO WRESTLE WITH THAT.

23               THAT DOES NOT MEAN THAT WE WOULD  
24       IGNORE THE PROCESS ISSUES OR THE LEGAL ISSUES.  
25       WE CERTAINLY WILL DEAL WITH THAT.

1 JON MCQUISTON: THANK YOU.

2 TO THE EXTENT THAT THE PUBLIC  
3 PROCESS -- SOME OF THE PEOPLE HAVE WROTE INTO  
4 PUBLIC ENTITIES, AND THESE ARE SOME QUESTIONS  
5 THEY'VE RAISED. AND THANKFULLY WE ARE GOING  
6 TO DO THAT.

7 AT LEAST AT THIS MEETING HERE, THE  
8 DISCUSSION IS WE DIDN'T TAKE THAT INTO  
9 CONSIDERATION. IN FACT, WE ARE NOT EVEN  
10 ADDRESSING IT IN THE COMMENTS TO THIS BODY.

11 JIM KENNA: YOU KNOW, I GUESS OUR  
12 INTENT AGAIN OR MY MISSION HERE WAS TO GET TO  
13 THE CONTENT OF THE COMMENTS, YOU KNOW.

14 AND WE CAN TAKE ADVANTAGE OF THE  
15 FACT THAT WE HAVE A LOT OF DIFFERENT  
16 PERSPECTIVES REPRESENTED ON THIS BOARD.

17 I DON'T KNOW HOW MANY ARE LAWYERS OR  
18 MAY BE LAWYERS. ONE, I THINK. BUT WE WILL  
19 HAVE THAT COMPLETE, I CAN ASSURE YOU.

20 JON MCQUISTON: THANK YOU. BECAUSE  
21 IT'S PERFECTLY REASONABLE FOR TWO PEOPLE TO  
22 LOOK AT THE SAME THING AND COME UP WITH  
23 COMPLETELY DIFFERENT OPINIONS ABOUT WHAT WE  
24 ARE READING.

25 BUT THERE'S TWO THINGS HERE ON THE

1       TABLE. ONE IS THE DECISIONS THAT ARE BEING  
2       RECOMMENDED AND ONE IS THE DECISION-MAKING  
3       PROCESS.

4               AND CLEARLY BOTH NEED TO BE FULLY  
5       ADDRESSED. NOT JUST THE COMMENTS ON THE  
6       DECISIONS. THE QUALITATIVE TYPE OF DECISIONS.  
7       BUT THE COMMENTS THAT WERE MADE WITH RESPECT  
8       TO HOW WE CAME TO THOSE CONCLUSIONS.

9               JIM KENNA: POINT TAKEN.

10              ILENE ANDERSON: THANK YOU.

11              IF THERE'S NO MORE QUESTIONS I WOULD  
12       LIKE TO GO ON TO THE THIRD ISSUE AREA.

13              I WOULD LIKE TO PUSH THROUGH SO WE  
14       WILL ALL HAVE SOMETHING TO CHEW OVER DURING  
15       LUNCH.

16              MOLLY BRADY: YOU GUYS UP HERE ARE  
17       SO LUCKY. YOU ARE ALLOWED TO DRINK WATER.  
18       THOSE OF US SITTING DOWN THERE ARE TOLD WE  
19       CAN'T HAVE ANY FOOD OR DRINKS.

20              ILENE ANDERSON: YOU CAN HAVE WATER.  
21       YOU JUST CAN'T HAVE ANYTHING ELSE.

22              MOLLY BRADY: MOVING ON.

23              MY AREA OF CONCERN IS BASICALLY  
24       LISTED ON YOUR OUTLINE AS DESERT WILDLIFE  
25       MANAGEMENT AREAS.

1                   HOWEVER, I WOULD LIKE TO  
2       CHARACTERIZE IT THAT WE RECEIVED QUITE A FEW  
3       COMMENTS, OF COURSE, THAT FOCUSED ON THE NEED  
4       FOR, AS WELL AS THE LIKELY EFFECTIVENESS OF  
5       THE PROPOSALS FOR THE PROTECTION AND RECOVERY  
6       OF THE DESERT TORTOISE.

7                   AND SO BASICALLY THOSE WERE ANOTHER  
8       MAJOR -- ANOTHER MAJOR ISSUE AREA.   CLEARLY  
9       ACCESS WAS PART OF THAT.   BUT WE WROTE THAT  
10      ONE OUT, AS JIM KENNA SAID.

11                  UNDER THAT GENERAL CATEGORY, THE  
12      FIRST ONE THAT -- OF THE THREE MAJOR AREAS  
13      RELATED TO THE DWMAS, WE BASICALLY HAD A  
14      NUMBER OF COMMENTS TALKING ABOUT THE SIZE AND  
15      SHAPE OF THE DWMAS.

16                  AND THE FACT THAT SOME FOLKS FELT  
17      THEY WEREN'T LARGE ENOUGH TO PROTECT THE  
18      TORTOISE. OTHERS FELT THAT THEY WERE TOO  
19      LARGE.   THAT WE HAD THEM LARGER THAN THE 1,000  
20      SQUARE MILES REQUIRED IN THE RECOVERY PLAN.

21                  AND SO WE HAD, OF COURSE, SOME  
22      FEEDBACK FROM THE PUBLIC ON DIFFERENCES OF  
23      OPINION ABOUT OUR SETTING ASIDE THOSE AREAS  
24      SUFFICIENT TO PROTECT THE TORTOISE.

25                  I WOULD SAY ALSO THAT THERE WERE

1 COMMENTS THAT SAID THAT, WELL, WE MADE THESE  
2 AREAS VERY LARGE, BUT THEY ARE MEANINGLESS.  
3 THEY ARE JUST LINES ON PAPER.

4 SO THERE WAS A LITTLE BIT OF  
5 SKEPTICISM FROM THE PUBLIC COMMENTS ON THE --  
6 RELATIVE TO THE SIZE AND SHAPE OF THE DWMAS.

7 THE SHAPE WAS -- SOME OF THE CONCERN  
8 RELATIVE TO THE SHAPE HAD TO DO WITH WE CUT  
9 CERTAIN AREAS OUT OF THE PREFERRED  
10 ALTERNATIVE.

11 FOR EXAMPLE, CHEMEHUEVI VALLEY WAS  
12 REDUCED IN SIZE, THAT DWMA, DUE TO SOME AREAS  
13 THAT WERE HIGHLY COMPACTED ALREADY ON THE  
14 WESTERN EDGE OF THE DWMA.

15 AND IT WAS FELT BY SOME THAT WE WERE  
16 TRYING TOO HARD TO ACCOMMODATE DIFFERENT USERS  
17 AND MADE THOSE CHANGES AND MANIPULATED THE  
18 BOUNDARIES.

19 THERE WERE SOME OTHER MODIFICATIONS  
20 IN THE CADIZ AREA AND ROUTE 78 WAS IDENTIFIED  
21 AND VIDAL WHERE WE HAD MADE SOME MODIFICATIONS  
22 DIFFERENT FROM THE CRITICAL HABITAT AND  
23 DIFFERENT FROM THE PROPOSED DWMAS THAT HAVE  
24 BEEN RECOVERED.

25 WHICH BRINGS ME TO THE MAJOR ONE



1       RELATIVE TO THE SIZE AND SHAPE ISSUE, WHICH IS  
2       THE MAJOR ONE THAT'S BEEN DRAWN ACROSS THE  
3       BOARD ON THE DWMAS.  AND THAT IS THE  
4       CONSISTENCY WITH THE RECOVERY PLAN.

5                I BROUGHT THE RECOVERY PLAN WITH ME  
6       UP HERE, JUST IN CASE SOME QUESTIONS CAME UP.  
7       BUT AS WE HEARD EARLIER, THE RECOVERY PLAN IS  
8       PRIMARILY RECOMMENDATIONS.

9                HOWEVER, MANY, MANY FOLKS WHO  
10       COMMENTED FELT THAT WE WERE NOT TRUE ENOUGH TO  
11       THE RECOVERY PLAN AND THAT WE DID VARY AND  
12       MOVE AWAY FROM IT IN ITS APPLICATION.

13               AGAIN, REFERENCE WAS BACK TO THE  
14       1,000 SQUARE MILES THAT WE MAY NOT HAVE HAD.  
15       WELL, ACTUALLY WE HAVE MORE, BUT THEY WERE  
16       LARGER IN MOST CASES THAN OURS.

17               IN ONE CASE IN THE NEMO PLAN IT WAS  
18       SMALLER.  HOWEVER, IT WAS COMBINED WITH THE  
19       PARK SERVICE AREA ALSO TO COME UP WITH NEMO.

20               THE SECOND MAJOR AREA HAD TO DO WITH  
21       PRESCRIPTIONS.  AND THE PRESCRIPTIONS THAT YOU  
22       ALREADY MENTIONED.

23               AGAIN IT WAS A CONSISTENCY WITH THE  
24       RECOVERY PLAN WHICH WAS THE MAJOR CONCERN.

25               AND A LOT OF COMMENTS CAME IN ABOUT

1        RAVENS AND THAT WE DID NOT TAKE A BIG ENOUGH  
2        ACTION OR WE WERE NOT FORCEFUL ENOUGH IN OUR  
3        PROPOSALS FOR RAVENS AND THAT WE SHOULD BE  
4        DOING MORE.

5                SO THERE WAS A LOT OF SUPPORT FOR  
6        THAT THROUGHOUT THE PERIOD.

7                WHAT RON BROUGHT UP THERE TOO, THERE  
8        WERE SOME COMMENTS ABOUT OTHER PREDATORS. BUT  
9        BY FAR RAVENS WAS THE MOST COMMON MEDIUM OR  
10       MENTION OR CONCERN.

11               ALSO THERE WAS A VERY STRONG SUPPORT  
12       FOR THE TOTAL ELIMINATION OF BURROS WITHIN THE  
13       MANAGEMENT AREAS. THAT WAS SOMETHING WE WERE  
14       PROPOSING.

15               HOWEVER, WE WERE PROPOSING MOVING  
16       THE BOUNDARIES OF THE HERD MANAGEMENT AREAS,  
17       AND THERE WAS A SKEPTICISM THAT WE WOULD BE  
18       ABLE TO MANAGE IT THAT WAY. AND THERE WAS A  
19       PROPOSAL TO INSTEAD JUST TO ELIMINATE AND ZERO  
20       OUT THE BURRO POPULATIONS.

21               OTHER ISSUES THAT WERE IDENTIFIED AS  
22       NOT BEING CONSISTENT OR THAT HAD TO DO WITH  
23       PRESCRIPTIONS, THAT WE NEEDED TO DO MORE, HAD  
24       TO DO WITH CAMPING AND PARKING, STOPPING  
25       ISSUES.

1                   AND SOME OF THE FOLKS WERE MAKING  
2       COMMENTS THAT WE SHOULD MAKE LESS AREA  
3       AVAILABLE FOR STOPPING AND PARKING.   BECAUSE  
4       THE STOPPING AND THE PARKING WHEN YOU PULL OFF  
5       THE MOUNTAIN ROAD OR PULL OFF THE ROADWAY,  
6       THERE COULD BE A CAR COMING TO PULL OFF THE  
7       ROAD.

8                   OTHERS FELT THAT PARTICULARLY FOR  
9       CAMPING ACTIVITIES, BUT EVEN FOR STOPPING  
10      ACTIVITIES YOU ACTUALLY NEEDED MORE ROOM TO  
11      ACCOMMODATE GROUPS AS IT GETS MORE CROWDED,  
12      AND THAT WE NEED TO LOOK AT SAFETY FACTORS AND  
13      SAFETY CONSIDERATIONS.

14                  ANOTHER ONE THAT WE HAVE ALREADY  
15      DISCUSSED, THAT WAS BROUGHT UP BEFORE, HAD TO  
16      DO WITH DRIVING THE WASHES AND THE CONCERNS  
17      ABOUT THAT IN ANYWHERE WITHIN THE DESERT  
18      WILDLIFE MANAGEMENT AREAS.

19                  ALSO, THERE WAS A COMPONENT OF FOLKS  
20      THAT FELT THAT WE WEREN'T -- WE DIDN'T IMPOSE  
21      ENOUGH RESTRICTIONS ON UTILITY CORRIDORS AND  
22      THAT WE SHOULD PERHAPS BE MORE RESTRICTIVE.

23                  AND THEN THERE WERE OTHERS THAT FELT  
24      WE WERE PERHAPS TOO RESTRICTIVE.

25                  SO AGAIN, THERE WAS A CONCERN ON THE

1       USES ALLOWED IN DWMAS.

2                   ANOTHER GENERAL CONCERN WAS THE FACT  
3       THAT THERE WAS A FEELING AMONGST SOME FOLKS  
4       THAT THIS WOULD BECOME WILDERNESS.  THAT IT  
5       WOULD EVOLVE INTO WILDERNESS.  THAT IT WAS IN  
6       EFFECT DEFACTO CLOSURES OF AREAS THAT WOULD  
7       LEAD TO MORE AND MORE RESTRICTIONS.

8                   SO THERE WAS THAT FEELING THAT WAS  
9       COMMUNICATED.

10                  REGARDING PRESCRIPTIONS, I THINK  
11       THERE WAS SOME CONCERN THAT THE COST WAS TOO  
12       HIGH.

13                  SPECIFICALLY MENTIONED WERE FENCING  
14       COSTS.  THAT WAS ABOUT THAT WE WOULD NOT BE  
15       ABLE TO ACHIEVE OUR GOALS BECAUSE OF THE HIGH  
16       COST.

17                  THERE'S GENERALLY A CONCERN THAT WE  
18       NEEDED TO BE ABLE TO IMPLEMENT THESE ACTIONS  
19       AND NEEDED TO ENSURE THAT IT WAS DOABLE.  AND  
20       IN PARTICULAR DO THE APPROPRIATE MONITORING  
21       AND EVALUATION AFTER THE PLAN'S IN PLACE.

22                  THE THIRD MAJOR AREA -- I SHOULDN'T  
23       SAY THIS, BUT IT'S ONE VERY NEAR TO MY  
24       HEART -- THAT WE GOT A LOT OF COMMENTS ON.

25                  WE ACTUALLY WE GOT MORE COMMENTS ON

1 THE NEMO PLAN AND NOT SO MANY ON THE NEPO.

2 BUT THAT WAS ON GRAZING ISSUES AND  
3 THE CONCERN ABOUT CONTINUATION OF GRAZING  
4 WITHIN THE DWMAS.

5 FIRST KIND OF GENERAL AREA OF  
6 CONCERN UNDER THE GRAZING HAD TO DO WITH THE  
7 FLEXIBILITY OR RATHER THE INFLEXIBILITY OF THE  
8 PROPOSAL.

9 THE PROPOSAL WAS CALLING FOR ADDING  
10 230 POUNDS OF FORAGE LEVEL AND THAT WE WOULD  
11 HAVE TO HAVE THOSE WITH GRAZING INTERESTS TAKE  
12 THEIR CATTLE OFF OF THE ALLOTMENT EFFECTIVE  
13 MARCH 15TH.

14 THIS WAS FELT TO BE A BIT TOO  
15 INFLEXIBLE RELATIVE TO THE TIME FRAME, BECAUSE  
16 IN SOME AREAS AS OF MARCH 15TH YOU REALLY  
17 DON'T HAVE FORAGE, YOU MIGHT EVEN HAVE SNOW  
18 STILL ON THE GROUND.

19 AND SO THE CONDITIONS AREN'T SUCH  
20 THAT YOU COULD EITHER MEASURE WHAT THE FORAGE  
21 WOULD BE AND THAT IT WAS THE WRONG TIME TO  
22 MEASURE.

23 SO THAT INFLEXIBILITY WAS A CONCERN.

24 AND A SECOND MAJOR AREA OF CONCERN  
25 THAT WE HAVE HEARD A LOT ABOUT IS THE

1 SOCIOECONOMIC IMPACT OF THIS PROPOSAL IN THAT  
2 SOME OF THE RANCHERS WOULD BE BASICALLY PUT  
3 OUT WITH THIS. WHAT WAS ASSERTED BY THE  
4 COMMENTS IS THAT IT WOULD EFFECTIVELY CLOSE  
5 THEM DOWN.

6 AND IN EFFECT BECAUSE TAKING CATTLE  
7 OFF OF THE ALLOTMENT OR TRYING TO MOVE THEM  
8 OUT OF THE TORTOISE INHABITANT FOR CERTAIN  
9 PERIODS OF TIME IS NOT REALLY FEASIBLE AND  
10 THEY WOULD REALLY HAVE TO SHUT DOWN THEIR  
11 OPERATION.

12 THE THIRD MAJOR AREA -- OH, I SHOULD  
13 MENTION, TOO, THAT IT WOULD HAVE AN ECONOMIC  
14 IMPACT ON THE COUNTY AS A WHOLE. SO THAT WAS  
15 A CONCERN.

16 AGAIN, GRAZING, A MAJOR COMMENT,  
17 LIKE I SAID BEFORE, IT WAS NOT CONSISTENT WITH  
18 THE RECOVERY PLAN WAS A COMMENT. THAT THE  
19 RECOVERY PLAN CALLED FOR THE ELIMINATION OF  
20 GRAZING AND THAT WE SHOULD BE TRUE TO THAT  
21 PROPOSAL, EVEN THOUGH IT WAS JUST A  
22 RECOMMENDATION, AND ELIMINATE GRAZING. UNLESS  
23 WE COULD SHOW THAT IT DID NOT HAVE ANY EFFECT  
24 UPON THE DESERT TORTOISE.

25 SO THAT BASICALLY WAS THE ARRAY OF

1       COMMENTS THAT WE GOT RELATIVE TO THE  
2       PROTECTION OF THE DESERT TORTOISE IN A VERY  
3       GENERAL SENSE.

4               WE ARE GOING TO MOVE, I PRESUME  
5       AFTER LUNCH, TO DISCUSS MORE SPECIFICALLY  
6       GRAZING ISSUES.

7               BUT I WOULD JUST LIKE TO SAY, AND A  
8       COMMENT WAS MADE EARLIER BY A MEMBER OF THE  
9       PUBLIC, THAT IT'S REAL IMPORTANT TO WORK  
10      TOGETHER AND TO TRY TO AVOID POLARIZING ON  
11      THESE ISSUES.

12              AND I JUST ENCOURAGE YOU TO THINK  
13      ABOUT HOW WE CAN WORK TOGETHER. I THINK WE  
14      HAVE BEEN WORKING VERY HARD WITH RESPECT TO  
15      THE GRAZING ISSUE TO TRY TO LOOK AT SOME  
16      COMMON GROUND.

17              SO I HOPE WE CAN GET SOME INPUT LIKE  
18      THAT FROM YOU.

19              THANK YOU.

20              ILENE ANDERSON: THANK YOU, MOLLY.

21              AND COULD YOU ACTUALLY INTRODUCE  
22      YOURSELF FOR THE RECORD?

23              MOLLY BRADY: OH. I AM MOLLY BRADY.  
24      I AM THE NEEDLES FIELD MANAGER.

25              ILENE ANDERSON: AND PERHAPS YOU CAN

1 INTRODUCE JIM, ALSO.

2 MOLLY BRADY: JIM KENNA IS THE FIELD  
3 MANAGER WITH THE PALM SPRINGS FIELD OFFICE.

4 ANY QUESTIONS? YOU'RE HUNGRY?

5 ILENE ANDERSON: YES. OKAY.

6 SO WE WILL RECESS FOR LUNCH. AND  
7 IT'S AN HOUR. SO WE WILL START BACK UP AT  
8 1:00 O'CLOCK. OKAY, 1:05.

9 (LUNCH RECESS)

10 ILENE ANDERSON: WE WILL OFFICIALLY  
11 RECONVENE WHENEVER WE ARE READY. GREAT.

12 I THINK THAT TIM HAS MADE A REQUEST  
13 TO SAY A FEW WORDS TO US ABOUT THE ISSUES THAT  
14 WE WILL BE DISCUSSING IN GREATER DETAIL THIS  
15 AFTERNOON. SO I'LL HAND THE MIC OVER TO TIM.

16 TIM SALT: THANK YOU.

17 THERE SEEMS TO BE SOME CONFUSION  
18 THIS MORNING WITH THE MANNER IN WHICH WE WERE  
19 MOVING, SO I THOUGHT I WOULD CLARIFY.

20 WE ARE AT THE POINT IN THE NEMO AND  
21 NECO PROCESS WHERE IT'S TIME TO FORMULATE OUR  
22 FINAL DECISIONS AND MOVE ON TO A RECORD  
23 DECISION.

24 WHAT WE TRY TO DO TODAY IN ORDER TO  
25 KEEP TODAY'S MEETING MANAGEABLE AND ALSO TO



1 ADDRESS THE MOST IMPORTANT ISSUES, WHAT WE DID  
2 WAS BY WAY OF REVIEW OF THE PUBLIC COMMENTS  
3 PICK THE ISSUES THAT WERE MOST CONTROVERSIAL,  
4 THAT HAD THE MOST INPUT ON IN THE THINGS WHERE  
5 WE FELT WE MOST NEEDED SOME GUIDANCE FROM  
6 COUNCIL ON HOW TO PROCEED.

7 SO THAT'S WHY WE PRESENTED THOSE  
8 THREE ISSUES. AND WE WOULD HOPE THAT THE  
9 COUNCIL WOULD PROVIDE RECOMMENDATIONS ON HOW  
10 WE SHOULD ADDRESS THE PUBLIC COMMENTS ON THOSE  
11 THREE ISSUES.

12 THAT CERTAINLY IS NOT TO SAY THAT IF  
13 THERE ARE OTHER ISSUES THAT THE COUNCIL WOULD  
14 LIKE TO ADDRESS BEYOND THOSE THREE OR ANY  
15 RECOMMENDATIONS ON OTHER ISSUES BEYOND THOSE  
16 THREE, THAT WE WOULD NOT ENTERTAIN THEM IN ANY  
17 COUNCIL DISCUSSION.

18 BUT WHAT WE TRY TO DO IS FOCUS ON  
19 THE ISSUES THAT SEEM TO BE OF GREATEST  
20 INTEREST TO THE PUBLIC AND WHERE WE THOUGHT  
21 RECOMMENDATION FROM COUNCIL WOULD BE MOST  
22 HELPFUL.

23 ILENE ANDERSON: OKAY. I THINK I  
24 WOULD LIKE TO CONTINUE ON ALONG THE AGENDA.

25 WHAT WE HAD ORIGINALLY SCHEDULED

1 AFTER LUNCH AND I WOULD LIKE TO CONTINUE TO  
2 VISIT AFTER LUNCH, IS THE GRAZING TRT, BECAUSE  
3 THAT'S SOMETHING THAT THE COUNCIL HAD  
4 REQUESTED AT THE LAST MEETING AND WE NEED TO  
5 TALK ABOUT THAT.

6 AND I THINK RON KEMPER IS GOING TO  
7 BE PRESENTING THE RESULTS OF THAT EFFORT.

8 SO, RON.

9 RON KEMPER: THANK YOU.

10 ONE IS TO JUST KIND OF BRIEFLY TRY  
11 TO BRING EVERYBODY UP TO SPEED.

12 THE TRT SPENT A TOTAL OF SIX DAYS.  
13 ONE DAY LONGER THAN ORIGINALLY SCHEDULED.

14 THE FIRST DAY WAS A SCOPING MEETING  
15 AND -- TO SET UP GOALS AND SCOPE, AND THAT  
16 SORT OF THING. IT WAS A LONG DAY. VERY, VERY  
17 PRODUCTIVE.

18 THE NEXT THREE DAYS WERE ACTUALLY  
19 SPENT ON THE GROUND ON THE RANCHES. PRETTY  
20 MUCH EFFECTIVE RANCHES OR RANCHES THAT STILL  
21 HAD VIABILITY AND HAD APPLICANTS.

22 THOSE THREE DAYS WERE ALSO LONG  
23 DAYS. WE USUALLY STARTED BEFORE LIGHT AND  
24 ENDED UP UNTIL AFTER DARK. SOMETIMES QUITE A  
25 BIT AFTER DARK. WE USUALLY ENDED UP DARK ON

1 THE RANCH AND HAD A TWO OR THREE HOUR DRIVE  
2 BACK.

3 AND THEN WE SPENT TWO DAYS JUST  
4 HASHING THINGS OUT.

5 AND I THINK I TRIED TO ESTIMATE THE  
6 TIME IN THE AMOUNT OF MAN HOURS THAT WERE  
7 SPENT. IT WAS PROBABLY WELL OVER 1,000.

8 LIKE I SAY, WE HAD ANYWHERE FROM 13  
9 TO 14 PEOPLE EVERY DAY AND EVERY DAY WAS A 12  
10 HOUR DAY PLUS.

11 A LOT OF COOPERATION. A LOT OF  
12 EXCHANGE OF IDEAS. I REALLY RECOMMEND THE  
13 PROCESS.

14 THE PEOPLE WHO PARTICIPATED WAS  
15 ILENE ANDERSON, BILL BETTERLY, BOB ELLIS, RON  
16 KEMPER AND PAUL SMITH FROM THE DAC.

17 OTHER PEOPLE ON THE TRT WAS HAL  
18 AVERY FROM DREXEL UNIVERSITY.

19 MILTON BLAIR FROM LAZY DAISY  
20 ALLOTMENT.

21 RICHARD BLANCO FROM VALLEY WELLS.

22 MOLLY BRADY FROM THE BLM NEEDLES  
23 FIELD OFFICE AND FIELD MANAGER.

24 RAY BRANSFIELD WHO IS U.S. FISH AND  
25 WILDLIFE OUT OF VENTURA AND A WILDLIFE

1 BIOLOGIST.  
2 DICK CROWE WITH BLM.  
3 LARRY FOREMAN, HEAD BIOLOGIST.  
4 ED LARUE OUT OF BLM BARSTOW AND WEMO  
5 WILDLIFE BIOLOGIST.  
6 THERESA MCBRIDE, BLM RANGELAND  
7 MANAGEMENT SPECIALIST.  
8 PHIL METICA, U.S. FISH AND WILDLIFE  
9 SERVICE, LAS VEGAS, WILDLIFE BIOLOGIST.  
10 LARRY MORGAN, WHO IS A LEAD  
11 RANGELAND MANAGEMENT SPECIALIST.  
12 TIM OVERSON FROM THE VALLEY VIEW  
13 ALLOTMENT. THE OPERATOR.  
14 ED SEEHAFFER FROM BLM, WHO IS THE  
15 NEMO TEAM LEADER.  
16 AND ALSO FOR PORTIONS OF THE TRT HAD  
17 THE PRESENCE OF JOHN E. STONE AND JOHN T.  
18 STONE WHICH REPRESENT GRAZING INTERESTS.  
19 THEN DAVE THORNTON ALSO THE CURRENT  
20 VALLEY WELLS OPERATOR.  
21 I AM GOING TO CUT THIS AS SHORT AS I  
22 CAN, BECAUSE I KNOW WE HAVE A COUPLE OTHER  
23 PEOPLE THAT WANT TO SPEAK.  
24 AFTER THE AMOUNT OF TIME SPENT THERE  
25 WERE SOME ITEMS THAT WE WERE READY TO COME TO

1 A CONSENSUS ON.

2 THOSE ITEMS WERE, NUMBER ONE, TO  
3 SUPPORT THE VOLUNTARY RELINQUISHMENT OF  
4 ALLOTMENTS WITHIN THE DWMAS OR WHERE DWMAS ARE  
5 AN INTEGRAL PART OF THE ALLOTMENT, CONSISTENT  
6 WITH THE LAW.

7 NUMBER TWO, ELIMINATE BURROS FROM  
8 THE CLARK MOUNTAIN HERD MANAGEMENT AREA.

9 NUMBER THREE, RECOMMEND AN  
10 ALTERNATIVE GRAZING STRATEGY AS AN EMZ TO BE  
11 IMPLEMENTED ON THE VALLEY WELLS ALLOTMENT, AS  
12 PER THE RECOVERY PLAN.

13 NUMBER FOUR, PROVIDE ADDITIONAL  
14 DOCUMENTATION FOR THE USE OF ALTERNATIVE  
15 GRAZING STRATEGY FOR THE VALLEY WELLS  
16 ALLOTMENT AS AVAILABLE, SUCH AS INFORMATION  
17 FROM A NEW MEXICO STUDY.

18 NUMBER FIVE, ALTERNATIVE GRAZING  
19 STRATEGY FOR THE VALLEY WELLS ALLOTMENT MUST  
20 HAVE A SCIENCE-BASED MONITOR. SCIENCE BASED  
21 AND MONITOR, I BELIEVE. BE APPROPRIATELY  
22 FUNDED AND HAVE ADAPTIVE MANAGEMENT APPLIED.

23 NUMBER SIX, RESEARCHER FOR THE  
24 ALTERNATIVE GRAZING STRATEGY FOR THE VALLEY  
25 WELLS ALLOTMENT WOULD BE HAL AVERY, WHO HAS

1       BEEN DOING TORTOISE-GRAZING RESEARCH IN THE  
2       EAST MOHAVE FOR THE LAST DECADE.

3               NUMBER SEVEN, CHANGE UTILIZATION IN  
4       THE NECO PROPOSAL TO MATCH THAT OF THE NEMO  
5       PLAN.

6               THE NEXT ITEM WAS AN ITEM THAT WE  
7       HAD AGREED TO AT OUR LAST MEETING. BUT SINCE  
8       THAT MEETING SOME OF THE ENVIRONMENTAL  
9       INTERESTS HAVE WITHDRAWN THEIR SUPPORT. AND  
10      THAT'S ITEM EIGHT.

11              IN LAZY DAISY, KESSLER SPRINGS, JEAN  
12      AND VALLEY VIEW ALLOTMENTS USE PREFERRED  
13      ALTERNATIVE, INCLUDING THE 230 POUNDS  
14      THRESHOLD AS CLARIFIED BELOW, WITH ADDITIONAL  
15      RANGE IMPROVEMENTS, INCLUDING WATERS, TO  
16      BETTER DISTRIBUTE CATTLE.

17              THE DWMA THAT INCLUDES THE LAZY  
18      DAISY ALLOTMENT EXCEEDS THE 1,000 SQUARE MILE  
19      THRESHOLD IDENTIFIED IN THE RECOVERY PLAN, AND  
20      IF LAZY DAISY CONTINUES TO BE GRAZED, 1,000  
21      SQUARE MILES WILL STILL BE UNGRAZED.

22              "A", IN YEARS OF GOOD WINTER  
23      PRECIPITATION, CATTLE MAY REMAIN PAST MARCH  
24      15TH IN EXPECTATION OF EPHEMERAL FORAGE  
25      PRODUCTION ABOVE 230 POUNDS PER ACRE.

1 IF THIS LEVEL OF FORAGE IS NOT  
2 ATTAINED WHEN WEATHER CONDITIONS, WARMING OF  
3 THE SOILS, ET CETERA, ARE APPROPRIATE, CATTLE  
4 MUST LEAVE THE DWMA UNTIL SUCH TIME AS 230  
5 POUNDS PER ACRE EPHEMERAL FORAGE IS ACHIEVED  
6 OR JUNE 15TH, WHICHEVER IS EARLIER.

7 THIS DETERMINATION WILL BE MADE  
8 BASED ON THE EVALUATION AND JUDGMENT OF THE  
9 BLM AUTHORIZED OFFICER. IF CATTLE MUST BE  
10 REMOVED, THE OPERATOR WILL BE GIVEN TWO WEEKS  
11 TO REMOVE THEM FROM THE DWMA.

12 "B", IN YEARS OF POOR WINTER  
13 PRECIPITATION CATTLE MUST BE REMOVED FROM THE  
14 DWMA BY MARCH 15 AND REMAIN OUT UNTIL SUCH  
15 TIME AS 230 POUNDS PER ACRE EPHEMERAL FORAGE  
16 IS ACHIEVED OR JUNE 15TH, WHICHEVER IS  
17 EARLIER.

18 "C", THE TERM "SUBSTANTIALLY  
19 REMOVED" RECOGNIZES THAT SOME CATTLE MAY  
20 WANDER OR ENTER THE DWMA DESPITE THE  
21 OPERATOR'S BEST EFFORTS AND REGARDLESS OF THE  
22 MANAGEMENT FACILITIES, FENCES, WATER SOURCES,  
23 SO FORTH, THAT ARE IN PLACE, AND THAT NATURAL  
24 FEATURES AND PLACEMENT OF MANAGEMENT  
25 FACILITIES EMPLOYED IN THE MANAGEMENT STRATEGY

1 MAY NOT FALL EXACTLY ON THE DWMA BOUNDARIES,  
2 ALLOWING SOME MINOR LEVEL OF GRAZING IN THE  
3 DWMAS.

4 NUMBER NINE WAS AN ITEM THAT  
5 CONSENSUS COULD NOT BE REACHED ON. SUPPORT  
6 ELIMINATION OF EPHEMERAL ONLY ALLOTMENTS.  
7 PIUTE VALLEY, CHEMEHUEVI VALLEY, THAT HAVE NOT  
8 BEEN GRAZED IN A REASONABLE FORESEEABLE PAST.  
9 THERE WAS NO AGREEMENT.

10 TEN, TERMINATE EPHEMERAL GRAZING  
11 FROM EPHEMERAL/PERENNIAL ALLOTMENTS IN DWMAS.  
12 THERE WAS NO AGREEMENT.

13 ELEVEN, KEEP PROVISIONS IN NEMO THAT  
14 DOES NOT ALLOW FOR TEMPORARY NONRENEWABLE USE  
15 IN THE THREE REMAINING ALLOTMENTS. ONCE  
16 AGAIN, NO AGREEMENT.

17 WHATEVER THE OUTCOME WE BELIEVE THAT  
18 NEMO AND NECO SHOULD BE CONSISTENT.

19 THERE WERE SOME ADDITIONAL  
20 CONSIDERATIONS.

21 AS A WHOLE WE FOUND IT A USEFUL  
22 PROCESS AND WOULD RECOMMEND A SIMILAR GROUP BE  
23 CONVENED, INCLUDING THE WEST MOHAVE RANCHERS,  
24 DAC, BLM STAFF AND THE SCIENTIFIC COMMUNITIY  
25 MEMBERS.



1                   THIRTEEN, WE ALL AGREED THAT WE NEED  
2       BETTER DATA THAN THE LINE-DISTANCE SAMPLING  
3       METHOD TO DETERMINE TORTOISE DENSITIES AND  
4       DISTRIBUTION IN THESE ALLOTMENTS. THE  
5       ALTERNATIVE PLAN WILL ADDRESS THIS ISSUE IN  
6       THE VALLEY WELLS ALLOTMENT.

7                   FOURTEEN, I BELIEVE THIS IS LARRY  
8       MORGAN, LARRY FOREMAN AND HAL AVERY AND ILENE  
9       TO DEVELOP QUESTIONS THAT WILL BE ASKED BY THE  
10      MONITORING PROGRAM IN THE EMZ STRATEGY AS WELL  
11      AS OTHER AREAS TO BE GRAZED IN THE DWMAS.

12                  THAT'S THE END OF THE INITIAL  
13      REPORT. I WILL SAVE SOME COMMENT FOR LATER.

14                  AND I BELIEVE THAT -- I DON'T KNOW  
15      IF WE HAVE SLIPS. BUT I BELIEVE DAVE THORNTON  
16      WOULD LIKE A FEW MINUTES AND ALSO HAL AVERY.

17                  IF YOU HAVE ANY QUESTIONS FOR ME AT  
18      THIS POINT I WOULD BE HAPPY TO TAKE THEM. OR  
19      COMMENTS.

20                  BOB ELLIS: JUST A CORRECTION. I  
21      THINK IT WAS ME RATHER THAN ILENE THAT  
22      WITHDREW SUPPORT FOR ITEM NUMBER 8. UNLESS  
23      ILENE HAS ALSO DONE SO.

24                  RON KEMPER: ALL'S I SAID WAS THE  
25      ENVIRONMENTAL INTEREST. I DIDN'T PICK OUT

1 ANYBODY.

2 BOB ELLIS: OH, I AM SORRY. I  
3 THOUGHT I HEARD YOU SAY ILENE. I HEARD IT  
4 WRONG.

5 RON KEMPER: THE QUESTION WAS THAT  
6 BOB THOUGHT I HAD SAID THAT IT WAS ILENE THAT  
7 HAD REMOVED HER SUPPORT. AND I TOLD HIM I  
8 DIDN'T MENTION ANY NAMES. I JUST SIMPLY SAID  
9 THE ENVIRONMENTAL INTEREST.

10 BILL BETTERLY: ALL THE OTHERS WERE  
11 UNANIMOUSLY CONSENTED TO EXCEPT FOR THIS.

12 RON KEMPER: WELL, YEAH. THE ITEMS  
13 NINE, TEN AND ELEVEN THERE NEVER WAS CONSENSUS  
14 ON. ITEM EIGHT HAD HAD CONSENSUS AND THEN IT  
15 GOT WITHDRAWN.

16 MARILYN BEARDSLEE: JUST A COUPLE OF  
17 CLARIFICATIONS, RON.

18 YOU JUST MENTIONED ITEM ELEVEN WHEN  
19 YOU WERE READING THROUGH, BUT YOU DIDN'T  
20 INCLUDE ITEM ELEVEN.

21 RON KEMPER: I DIDN'T?

22 MARILYN BEARDSLEE: WELL, YOU WERE  
23 READING. SO MY QUESTION WAS, DID YOU DROP IT  
24 OR IS IT STILL THERE AND IT'S JUST THAT YOU  
25 HAVEN'T REACHED A CONSENSUS?

1 BILL BETTERLY: HE READ IT.

2 RON KEMPER: KEEP PROVISION IN NEMO  
3 THAT DOES NOT ALLOW FOR TEMPORARY NONRENEWABLE  
4 USE IN THE THREE REMAINING ALLOTMENTS. AND  
5 THERE WAS NO CONSENSUS.

6 MARILYN BEARDSLEE: OKAY. SO IT'S  
7 STILL IN THERE. I MEAN, IT'S STILL A PART OF  
8 YOUR REPORT.

9 RON KEMPER: WELL, IT'S PART OF OUR  
10 REPORT. WE WERE REPORTING ON WHAT WE WERE  
11 ABLE TO.

12 HOPEFULLY WE WERE REPORTING ON A  
13 LARGE SUCCESS STORY. AND -- BUT THERE ARE A  
14 FEW THINGS THAT WE STILL COULDN'T COME TO A  
15 CONSENSUS ON AND WE FELT THAT IT WAS IMPORTANT  
16 THAT THE DAC HAVE THE BENEFIT OF THE FULL  
17 REPORT.

18 MARILYN BEARDSLEE: AND A SECOND  
19 QUESTION. ON ITEM TWO YOU SAY "ELIMINATE  
20 BURROS." WOULD YOU DEFINE "ELIMINATE"?

21 RON KEMPER: ACTUALLY WHAT WE ARE  
22 SAYING IS REMOVING THEM FROM THAT HERD  
23 MANAGEMENT AREA.

24 MARILYN BEARDSLEE: OKAY.

25 RON KEMPER: MAYBE ELIMINATE WAS A

1 POOR CHOICE.

2 MARILYN BEARDSLEE: ELIMINATE SOUNDS  
3 LIKE KILL.

4 RON KEMPER: AND YOU WILL PROBABLY  
5 HEAR FROM THE RANCHER WHO MANAGES THAT AREA  
6 THAT HE WOULD PREFER TO HAVE A FEW BURROS.

7 BUT WHAT WE FOUND, IF I CAN EXPOUND  
8 JUST A LITTLE BIT.

9 VALLEY WELLS IS THE RANCH THAT I  
10 DRIVE THROUGH TO GET TO MY RANCH. THERE HAS  
11 BEEN IN THE NEIGHBORHOOD OF 250 BURROS TAKEN  
12 OFF IT IN THE LAST YEAR.

13 DAVE RUNS ABOUT 175 HEAD OF MOTHER  
14 COWS AND CALVES. WHICH MEANS HE PROBABLY HAS  
15 IN THE SUMMER MONTHS OUT THERE ABOUT 250 HEAD  
16 OF CALVES WITH COWS.

17 AND I DON'T THINK THERE HAS BEEN A  
18 TIME THAT I HAVE DRIVEN THE 20 MILES OF HIS  
19 RANCH, EVEN SINCE THE 250 BURROS HAVE BEEN  
20 REMOVED, THAT I HAVEN'T SEEN MORE BURROS THAN  
21 I DO COWS.

22 THE HERD MANAGEMENT AREA OR AMOUNT I  
23 BELIEVE IS SUPPOSED TO BE 40 OR 44.

24 I ESTIMATE THE ORIGINAL HERD WAS  
25 PROBABLY BETWEEN FIVE TO 600 BURROS.

1                   SO I THINK THERE WAS SOME CONCERN  
2                   FROM THE TRT THAT IF YOU LEAVE 40 BURROS  
3                   THERE, FIVE YEARS FROM NOW WE MIGHT HAVE  
4                   ANOTHER 150 OR 200 BURROS OUT THERE.

5                   I THINK YOU WILL HEAR FROM DAVE THAT  
6                   HE IS WILLING TO MANAGE THOSE BURROS. SO IT  
7                   WAS JUST THE TRT'S RECOMMENDATION TO SOLVE THE  
8                   PROBLEM AND REMOVE THEM FROM THAT AREA.

9                   ILENE ANDERSON: I WOULD JUST LIKE  
10                  TO WEIGH IN WITH WHAT MY VIEW IS AS TO THE  
11                  STATUS RIGHT NOW WITH THIS TRT.

12                 AND WE DID COME UP WITH THESE  
13                 RECOMMENDATIONS. HOWEVER, THERE WERE OTHER  
14                 ISSUES, AS YOU SEE, THAT WE COULDN'T COME TO A  
15                 CONSENSUS ON.

16                 IN ADDITION TO THAT THERE WAS  
17                 INFORMATION THAT WAS BROUGHT TO THE TABLE BY  
18                 FISH AND WILDLIFE SERVICE VERY LATE IN THE  
19                 EVENING, 7:30 OR SO, THAT I THINK WE -- IN MY  
20                 OPINION, I FEEL WE DIDN'T HAVE AN ADEQUATE  
21                 TIME TO DISCUSS THAT AND RESOLVE THAT, PERHAPS  
22                 INCORPORATE IT INTO OUR RECOMMENDATION.

23                 SO MY FEELING ABOUT THE TRT IS THAT  
24                 WE DID SOME GOOD WORK. I FEEL THAT THERE IS  
25                 STILL SOME ADDITIONAL ISSUES THAT WE COULD

1 BRING -- COULD RESOLVE, BRING TO THE TABLE AND  
2 MAKE A FULLER RECOMMENDATION TO DAC.

3 AT THIS POINT I FEEL IT IS SORT OF  
4 AN INCOMPLETE RECOMMENDATION, FROM MY  
5 PERSPECTIVE. AND SO I WOULD LIKE TO, YOU  
6 KNOW, JUST HAVE THAT ON THE RECORD.

7 RON KEMPER: JUST A POINT OF  
8 CLARIFICATION.

9 I DON'T KNOW THAT WE ARE MAKING A  
10 RECOMMENDATION AT THIS TIME. ARE WE?

11 ILENE ANDERSON: I CERTAINLY  
12 WOULDN'T.

13 RON KEMPER: I DID WHAT I WAS JUST  
14 DOING AS A REPORT.

15 ILENE ANDERSON: GREAT. I JUST  
16 WANTED TO CLARIFY THAT SO THAT DAC UNDERSTOOD  
17 THAT PERHAPS -- OBVIOUSLY I DIDN'T DO A VERY  
18 GOOD JOB ON THAT, ACTUALLY -- THAT, YOU KNOW,  
19 FROM AT LEAST ONE TRT MEMBER I THINK WE STILL  
20 HAVE SOME MORE ADDITIONAL WORK TO DO.

21 WE TRIED FOLLOWING A TIME LINE AND  
22 THIS IS WHAT WE HAVE COME UP WITH SO FAR.

23 SO I WOULD LIKE TO TAKE THE  
24 OPPORTUNITY TO HAVE ONE OF THE TRT MEMBERS  
25 ACTUALLY TALK ABOUT THE PROPOSED EMZ STRATEGY

1       SO THAT YOU ALL HAVE A BETTER UNDERSTANDING OF  
2       WHAT THAT IS.

3                SO, DAVE THORNTON, IF YOU COULD COME  
4       UP AND REPORT TO US ON THIS RANGES WEST  
5       DOCUMENT THAT YOU ALL HAVE.

6                BOB ELLIS:   ILENE, YOU MIGHT WANT TO  
7       DEFINE WHAT AN EMZ IS FOR PEOPLE.

8                ILENE ANDERSON:  OH, YES.  THANK  
9       YOU.

10               THE EMZ IS THE EXPERIMENTAL  
11       MANAGEMENT ZONE THAT IS IDENTIFIED IN THE  
12       DESERT TORTOISE RECOVERY PLAN AS AN AREA FOR  
13       EXPERIMENTATION AND MONITORING.

14               DAVE THORNTON:  IS THIS ON?  YOU  
15       WILL HAVE TO FORGIVE ME.  I AM A LITTLE OUT OF  
16       MY ELEMENT HERE.

17               THE FIRST THING I WANT TO DO IS  
18       THANK EVERYBODY.  THE DAC FOR THEIR INTEREST  
19       IN GRAZING.  AND FOR SENDING A TECHNICAL  
20       REVIEW TEAM OUT TO SPEND SIX DAYS OUT IN THE  
21       DESERT WITH US  AND SIT AT THE TABLE TRYING TO  
22       COME UP WITH SOMETHING.  WHAT WE SET OUT TO  
23       DO.

24               I WOULD LIKE TO ALSO THANK YOU FOR  
25       THE OPPORTUNITY FOR ME TO PRESENT MY IDEAS.

1 MY GRAZING PROPOSAL THROUGH THE DAC TO THE  
2 BLM. IT WILL HELP GET THINGS -- MAKE THINGS  
3 HAPPEN FOR ME THAT I WOULDN'T BE ABLE TO DO  
4 FOR MYSELF.

5 YOU GUYS HAVE EXPERIENCED SOME  
6 SUCCESS WITH YOUR ADVISING BLM. AS I  
7 UNDERSTAND AT ONE OF YOUR RIDGECREST MEETINGS  
8 IS THAT SOMEBODY PROPOSED THAT BLM WORK  
9 COOPERATIVELY WITH THE RANCHERS TAKING CARE OF  
10 PART OF THE BURRO PROBLEM THAT WE HAVE.

11 WHEN I CONTACTED BLM OFF THE VALLEY  
12 WELLS RANCH TO REMOVE SOME BURROS, I WAS  
13 WELCOMED WITH OPEN ARMS AND WE WERE VERY, VERY  
14 SUCCESSFUL.

15 AS OF RIGHT NOW I HAVE TRAPPED 162  
16 BURROS AND HAVE REMOVED THEM FROM THE DESERT.  
17 AND I THINK A LOT OF THAT CREDIT GOES TO THE  
18 DAC FOR ADVISING THE BLM TO COOPERATE WITH US.

19 I PRESENTED MY PROPOSAL TO THE TRT.  
20 I THINK THEY ALL LIKED IT. I HOPE THEY ALL  
21 DID. I THINK THAT THEY WILL AGREE -- I HOPE  
22 THEY AGREE THAT IT'S A BETTER PREFERRED  
23 ALTERNATIVE THAN THE EXISTING ONE.

24 YOU ALL HAVE IT IN FRONT OF YOU. I  
25 WOULD RATHER NOT -- I WASN'T PLANNING ON GOING



1 OVER ANY PART OF THAT HERE TODAY.

2 LIKE I SAY, YOU HAVE GOT IT IN FRONT  
3 OF YOU. WE SPENT SIX DAYS WITH IT.

4 IF ANYBODY HAS ANY QUESTIONS OR  
5 COMMENTS TO MAKE ON IT, I WOULD SURE LIKE,  
6 WHEN THE TIME IS APPROPRIATE, TO GO OVER THAT  
7 WITH YOU.

8 WHAT I WILL SAY IS THAT THIS  
9 PROPOSAL INCLUDES A BASE COW HERD THAT SHOULD  
10 STAY ON THE RANGE AT ALL TIMES. BE GRAZED IN  
11 THE DWMA AT ALL TIMES AT A VERY REDUCED RATE.

12 IT INCLUDES THE FLEXIBILITY  
13 NECESSARY TO GRAZE IN THE DESERT BECAUSE WE  
14 HAVE THE HUGE CHANGE IN THE AMOUNT OF  
15 PRECIPITATION.

16 WE ALSO INCLUDED IN THIS A PRETTY  
17 INTERESTING FEATURE OF THE GROWING SEASON REST  
18 THAT WAS NOT IN ANY OF THE OTHER PLANS. WE  
19 WANT TO REST THE RANGE DURING SEASONS WHEN IT  
20 MAKES GOOD SENSE.

21 IF WE REST THE RANGE WHEN IT'S DRY,  
22 LIKE THE NEMO PLAN WANTS US TO DO, IT DOES  
23 NOTHING FOR THE RANGE.

24 IF WE REST THE CERTAIN AREAS OF IT  
25 ON A ROTATIONAL BASIS WHILE IT'S GROWING, THEN

1 WE ARE GOING TO HELP IMPROVE THE RANGE.

2 WE ARE GOING TO ATTACK THE DESERT  
3 TORTOISE ISSUE PARTIALLY THROUGH RANGE RANCH  
4 HEALTH, AND THEN ALSO IN LOW PRECIPITATION  
5 YEARS BY LOWERING THE STOCKING RATE.

6 SOME OF THE BENEFITS OF THIS PLAN IS  
7 THAT IT WILL REQUIRE NO FENCING OR ADDITIONAL  
8 IMPROVEMENTS. WE CAN DO WITH WHAT WE HAVE GOT  
9 ON THE GROUND TODAY.

10 AND THIS PLAN CAN BE IMPLEMENTED AND  
11 ACTUALLY IS BEING IMPLEMENTED ON THE VALLEY  
12 WELLS RANCH IMMEDIATELY. WE HAVE TO DO  
13 NOTHING BUT AGREE TO DO IT.

14 WE ALSO INCLUDED IN THIS THAT WE  
15 WOULD LIKE TO SEE TWO THINGS. WE WOULD LIKE  
16 TO SEE THAT NONE OF THE CATTLE MOVES BE MADE  
17 WITHOUT MONITORING. WITHOUT SOMEBODY GOING  
18 OUT AND MEASURING THE GRASS.

19 IF WE DON'T HAVE FEED, LET'S DON'T  
20 PUT CATTLE OUT ON IT.

21 WHAT I WOULD LIKE TO DO IS MAKE MY  
22 OPERATION MORE SCIENTIFIC SO THAT THERE IS A  
23 MECHANISM THAT TELLS ME WHEN TO REMOVE CATTLE  
24 OR WHEN TO LEAVE CATTLE OUT THREE DIFFERENT  
25 TIMES OF THE YEAR.

1 I WOULD ALSO LIKE TO LEARN SOME  
2 MORE. SOMETHING WE HEARD TODAY FROM THESE  
3 FOLKS. EVERY TIME WE ARE ASKED A QUESTION WE  
4 HAVE TO MAKE A MANAGEMENT DECISION.

5 THERE IS NO DATA FOR ANYBODY'S SIDE  
6 TO SUPPORT ANY DECISION WHATSOEVER. AND THE  
7 NEED FOR DATA AND FOR RESEARCH IS HUGE.

8 AND WE WOULD LIKE TO BEGIN SOME  
9 TORTOISE STUDIES WITH HAL AVERY, DR. AVERY, TO  
10 DETERMINE WHERE THESE THRESHOLDS OF  
11 COMPETITION ARE. ARE WE HANDLING THAT. WHAT  
12 IS REALLY HAPPENING.

13 I UNDERSTAND FROM PEOPLE THAT  
14 RESEARCH IS EXPENSIVE AND WE KEEP HEARING THE  
15 COMMENT, WELL, THAT THE TIME FOR RESEARCH WAS  
16 YEARS AGO AND NOW IT'S TIME FOR DECISIONS.

17 WELL, THE RESEARCH HASN'T BEEN DONE  
18 AND THE DECISIONS NEED TO BE MADE.

19 I THINK WHAT'S NECESSARY IS WE NEED  
20 TO DO THE RESEARCH AND WE ALSO NEED TO KEEP  
21 OUR MANAGEMENT ADAPTIVE.

22 ALSO ON THESE GRAZING ALLOTMENTS WE  
23 DON'T KNOW WHAT IMPACT IT WILL HAVE ON THE  
24 DESERT TORTOISE.

25 I THINK I WOULD LIKE TO SEE YOU

1 RECOMMEND TO THE BLM THAT THEY LEAVE  
2 GRAZING -- THE ABILITY TO GRAZE OPEN SO THAT  
3 WE CAN DETERMINE IF WE ARE NOT HAVING  
4 EFFECTS -- NEGATIVE EFFECTS OR WHERE THOSE  
5 NEGATIVE EFFECTS ARE. WE CAN ADAPT GRAZING  
6 MANAGEMENT TO THOSE ALLOTMENTS AS OPPOSED TO  
7 CLOSING THESE ALLOTMENTS.

8 BEAR WITH ME. I WILL PROBABLY  
9 REPEAT MYSELF.

10 WHAT I WOULD LIKE THE DAC TO DO IS  
11 TO ADVISE THE BLM TO USE MY GRAZING PROPOSAL  
12 AS A PREFERRED ALTERNATIVE TO THE GRAZING  
13 ALLOTMENTS IN THE NEMO PLANNING AREA WHERE  
14 DESERT TORTOISE CRITICAL HABITAT REPRESENTS A  
15 LARGE PORTION OF THE ALLOTMENT AS A STARTING  
16 PLACE.

17 AND THEN SECONDLY, TO LEAVE THE DOOR  
18 OPEN TO APPLY THE INFORMATION ACQUIRED THROUGH  
19 SCIENCE TO UTILIZE THESE ALLOTMENTS IN THE  
20 FUTURE.

21 THAT'S WHAT I HAVE FOR YOU.

22 THANK YOU.

23 ILENE ANDERSON: ANY QUESTIONS?

24 WALLY LEIMGRUBER: JUST A SMALL  
25 QUESTION. WALLY LEIMGRUBER.

1                   WHEN WE PUT THESE CATTLE OUT ON THE  
2     RANGE, DO WE HAVE -- WHAT SOURCE OF WATERING  
3     CAPABILITY IS THERE? IS THAT FROM A WINDMILL  
4     SOURCE TO PULL THAT WATER OUT?

5                   DAVE THORNTON: ARE YOU TALKING  
6     ABOUT A SPECIFIC ALLOTMENT OR THE VALLEY WELLS  
7     ALLOTMENT?

8                   WALLY LEIMGRUBER: WELL, WHEN YOU  
9     PUT THESE CATTLE OUT ON THESE RANGES HERE, HOW  
10    DO YOU WATER THESE COWS?

11                  DAVE THORNTON: THE RANCHER WILL  
12    HAVE EITHER A CENTRAL PUMPING STATION LIKE THE  
13    VALLEY WELLS AND THE WATER RUNS DOWN PIPELINES  
14    15, 20 MILES IN DIFFERENT DIRECTIONS ON A  
15    GRAVITY FLOW SYSTEM.

16                  THERE IS ALSO WINDMILLS. SOME ARE A  
17    PIPELINE, SOME ARE JUST A TANK AND A TROUGH  
18    RIGHT AT THE MILL.

19                  THERE IS ALSO SPRINGS WHERE THE  
20    WATER IS EITHER PIPED OUT TO A TROUGH OR SOME  
21    ARE JUST A BIG HOLE IN THE GROUND AND  
22    LIVESTOCK AND WILDLIFE WALK INTO IT.

23                  WALLY LEIMGRUBER: THANK YOU.

24                  BILL BETTERLY: I THINK MAYBE, DAVE,  
25    YOU SHOULD IN THAT STATEMENT CLARIFY WHAT YOU

1 JUST SPOKE.

2 LET IT BE KNOWN TO THE DAC THAT THE  
3 RANCHER IS RESPONSIBLE FOR THE WATER. THAT  
4 THE BUREAU OF LAND MANAGEMENT OR THE PARK  
5 SERVICE DOES NOT MAINTAIN THE WATER SYSTEM.  
6 IT'S THE RANCHER THAT MAINTAINS.

7 DAVE THORNTON: NO, THOSE WATER  
8 SYSTEMS ARE OWNED BY WHOEVER OWNS THE GRAZING  
9 ALLOTMENT. THERE IS A VARIETY OF DIFFERENT  
10 WAYS TO WATER. THERE IS WATER RIGHTS ON THE  
11 ALLOTMENT.

12 SOME OF THE IMPROVEMENTS ARE OWNED  
13 BY THE PERMITTEE. AND SOME ARE IN COOPERATION  
14 WITH THE PERMITTEE AND THE BLM.

15 AND THAT'S GETTING WAY OUT OF MY  
16 EXPERTISE ON HOW THAT WORKS. AND IT'S ALL  
17 MAINTAINED BY THE RANCHER.

18 RANDY RISTER: I THINK THAT'S THE  
19 CRITICAL FACT IS THAT THE RANCHER NEEDS TO PAY  
20 TO PUT THE SYSTEM IN, EXTEND IT FOR SERVICE,  
21 MAINTAIN IT, TAKE CARE OF IT. AND IT'S ALSO  
22 USED FOR THE WILDLIFE BENEFIT AS WELL AS HIS  
23 CATTLE.

24 BILL BETTERLY: I WAS JUST GOING TO  
25 GETTING TO THAT, RANDY. IT'S NOT JUST FOR THE

1 CATTLE ITSELF.

2 ILENE ANDERSON: ACTUALLY JIM NEEDS  
3 TO SPEAK. HE HAS BEEN TRYING SEVERAL TIMES.  
4 THEN YOU CAN HAVE YOUR CHANCE, BILL.

5 JIM REDDY: I KNOW VERY LITTLE ABOUT  
6 RANCHING OR FARMING.

7 I WAS CURIOUS ABOUT YOUR COMMENT  
8 THAT THE BEST WAY TO MAINTAIN THE RANGE IS  
9 THAT WHEN IT'S DRY MOVING THE CATTLE AWAY  
10 DOESN'T IMPROVE THE RANGE. IN FACT, THAT  
11 THE TIME TO IMPROVE THE RANGE IS WHEN IT IS  
12 GROWING.

13 SO IF THAT'S TRUE IS THAT CONSISTENT  
14 WITH THE PREFERRED ALTERNATIVE ON THESE DATES  
15 OF MARCH 15TH TO JUNE 15TH OR INCONSISTENT?

16 DAVE THORNTON: IT'S INCONSISTENT.  
17 IT'S 100 PERCENT THE OPPOSITE.

18 WHAT THE NEMO PLAN WOULD LIKE TO  
19 HAVE DONE IS IF WE ARE UNDER 230 POUNDS OF  
20 EPHEMERAL GROWTH, REMOVE THE CATTLE OUT OF THE  
21 DWMAS. WHICH IS AS A TOOL, THAT'S USING THE  
22 TOOL OF REST FOR THE RANGE.

23 THE RANGE WON'T REST WHEN IT'S DRY.  
24 IT DOESN'T DO IT ANY GOOD. TO REST A PLANT IT  
25 HAS TO BE ALLOWED TO GROW AND FULLY RECOVER

1       BEFORE IT'S GRAZED AGAIN.  THEN IT CAN HELP  
2       BUILD ITS ROOT SYSTEM.

3               ONCE IT HAS GONE DORMANT, IT'S DRY,  
4       YOU CAN REMOVE ALL OF THE -- OF WHAT IT HAS  
5       GROWN OFF THE TOP OF THE PLANT AND YOU HAVE  
6       ACTUALLY IMPROVED THE PLANT.

7               BECAUSE WHEN IT GETS WET, THE  
8       SUNSHINE WILL SHINE ON THE BASE OF THAT PLANT  
9       AND REGROW IT.

10              IF WE REST IT WHEN IT'S DRY, THERE  
11       IS NOTHING GROWING, YOU CAN'T COLLECT  
12       SUNSHINE, YOU CAN'T HELP BUILD THE ROOT  
13       SYSTEM.

14              JIM REDDY:  THAT ALL SOUNDS GOOD TO  
15       ME.

16              RON, I DON'T UNDERSTAND WHY YOU  
17       WOULD AGREE THEN TO JUST THE OPPOSITE.

18              RON KEMPER:  ME?

19              JIM REDDY:  YES.  I THOUGHT THAT WAS  
20       ONE OF THE THINGS THAT WE AGREED TO WAS THE  
21       CLOSING OF IT FROM MARCH 15TH TO JUNE 15TH.  
22       WASN'T THAT --

23              RON KEMPER:  NO.  THE VALLEY WELLS  
24       ALLOTMENT WAS SET UP WITH THE PROGRAM THAT  
25       DAVE IS TALKING ABOUT RIGHT NOW.



1 JIM REDDY: OH, OKAY.

2 RON KEMPER: THE REMAINDER  
3 ALLOTMENTS WEREN'T ALLOWED TO DO THAT BECAUSE  
4 THEY WERE OVER -- YOU CAN ONLY HAVE I THINK  
5 IT'S TEN THOUSAND -- ONLY TEN THOUSAND --

6 BOB ELLIS: TEN PERCENT.

7 RON KEMPER: TEN PERCENT. IT WAS  
8 TEN PERCENT OF THE TOTAL DWMA.

9 SO DAVE'S RANCH ACTUALLY TAKES UP  
10 THAT TOTAL TEN PERCENT.

11 AND THEN ON THE LAZY DAISY IT'S  
12 ACTUALLY IN ANOTHER AREA. AND IT WAS FEARED  
13 BECAUSE IT WAS OVER 1,000 SQUARE MILES IT  
14 COULD ALSO BE USED AS A STUDY AREA.

15 BUT THERE IS TWO OR THREE RANCHES IN  
16 BETWEEN THAT CURRENTLY AREN'T OCCUPIED BY AN  
17 OPERATOR THAT WE WERE LOOKING AT THE 230 POUND  
18 RULE. EVEN THOUGH WE DON'T LIKE IT, IT WAS  
19 SOMETHING THAT EVERYBODY COULD HAVE SOME  
20 CONSENSUS ON.

21 AS LOOKING AFTER THE PLANT  
22 COMMUNITY, WE ALL LIKE THE PLAN BETTER. AND  
23 IN MY OWN MANAGEMENT PROGRAM OUR RESTING YEARS  
24 WERE GOOD.

25 AND ONE THING THAT I WANTED TO ASK

1 DAVE, SO HE CAN MAKE THINGS VERY CLEAR, SO YOU  
2 UNDERSTAND, THAT IT'S NOT CUT AND DRIED. YOU  
3 CAN'T JUST PULL EVERY COW OFF AND MOVE IT OVER  
4 TO ONE WATER. YOU ARE LIMITED BY HOW MUCH  
5 WATER THOSE WATERS PRODUCE.

6 IF A FELLOW IS RUNNING 150 COWS AND  
7 HE'S GOT A SPRING THAT PRODUCES A HALF A  
8 GALLON A MINUTE, HE CAN'T WATER ALL HIS COWS  
9 THERE. HE CAN'T MOVE ALL OF HIS COWS TO THAT  
10 SPRING SITE.

11 SO YOU HAVE GOT TO ADAPT YOUR PLAN  
12 FOR EVERY INDIVIDUAL RANCH AND THE WATERING  
13 SOURCES.

14 ILENE ANDERSON: I WOULD LIKE TO  
15 MAKE ANOTHER COMMENT WITH REGARDS TO THE 230  
16 POUND EPHEMERAL FORAGE. THAT'S LIKE AN ANNUAL  
17 SPECIES PLANT THAT GROW, YOU KNOW, IN ONE YEAR  
18 THAT COMPLETE THEIR WHOLE LIFE CYCLE.

19 AND WHAT MR. THORNTON WAS REFERRING  
20 TO WAS THE SHRUB COVER THAT NEEDS TO BE  
21 ENHANCED IN THOSE COMPUTERS.

22 RANDY RISTER: IT WAS INDICATED THAT  
23 AT TIMES THESE GRAZING ALLOTMENTS ARE  
24 RELINQUISHED VOLUNTARILY. AND IN SOME CASES  
25 THEY HAVE BEEN REVOKED OR CANCELED.

1 MY QUESTION IS, WHO MAINTAINS THE  
2 WATER SOURCES FOR THE WILDLIFE ONCE THOSE  
3 ALLOTMENTS ARE GIVEN BACK?

4 DAVE THORNTON: FROM WHAT I HAVE  
5 SEEN, NOBODY DOES. THEY GO IN DISREPAIR AND  
6 IT DRIES UP.

7 A SIMILAR THING HAPPENED ON THE  
8 NATIONAL PARK SERVICE WHEN IT PULLED ALL THE  
9 CATTLE OUT OF IT. THESE HANDS DIDN'T TURN THE  
10 WATER OFF AROUND THE RANCH. BUT THE WATER WAS  
11 TURNED OFF AND EVERYTHING THAT WAS DEPENDENT  
12 ON THOSE WATERS DIED.

13 BOB ELLIS: DAVE, HAVE YOU -- WHAT  
14 WE WERE PROPOSING -- AND YOU ARE PROPOSING IS  
15 TO MANAGE YOUR RANCH UNDER THE PROVISION IN  
16 THE TORTOISE RECOVERY PLAN AS AN EXPERIMENTAL  
17 MANAGEMENT AREA FOR THE BENEFIT, YOU KNOW, OF  
18 YOUR GRAZING, AS WELL AS THE TORTOISE.

19 AND I WAS WONDERING IF YOU HAD HAD A  
20 CHANCE TO TALK WITH HAL AVERY ABOUT THE  
21 PARTICULARS OF MONITORING AND HOW THAT MIGHT  
22 WORK ON YOUR ALLOTMENT. OR SHOULD WE WAIT FOR  
23 HAL TO TALK ABOUT THAT?

24 DAVE THORNTON: THERE'S TWO PARTS TO  
25 THAT QUESTION. I WILL GO IN REVERSED COURSE.

1                   THERE WAS A GROUP, AS RON JUST  
2           INDICATED, THAT WAS SUPPOSED TO COME UP WITH  
3           THE PERIMETERS OF THE STUDY. AND I ASKED  
4           ABOUT THAT. AND NOTHING HAS COME OF IT. BUT  
5           HAL SAYS HE HAS GOT SOME IDEAS.

6                   YOU MADE THE COMMENT THAT I  
7           SUGGESTED THAT THIS GRAZING PROPOSAL BE USED  
8           WITHIN THE EMZ. AND THAT WAS NOT WHAT I SAID  
9           EARLIER.

10                  MY THOUGHT IS I BELIEVE THAT THIS IS  
11           GOOD MANAGEMENT. I THINK THIS IS GOOD ENOUGH  
12           MANAGEMENT TO USE ON BOTH SIDES OF THE  
13           POLITICAL LINE, WHETHER IT'S THE DESERT  
14           TORTOISE CRITICAL HABITAT OR JUST OUT IN THE  
15           DESERT RUNNING CATTLE. GOOD MANAGEMENT IS  
16           IMPORTANT.

17                  I WOULD LIKE TO SEE THIS STYLE OF  
18           MANAGEMENT BETTER USED THROUGHOUT THE RANGES.

19                  I WOULD LIKE TO LIMIT MYSELF A  
20           LITTLE BIT TO SAY IN THE NEMO PLANNING AREA IS  
21           WHERE I HAVE AN INTEREST.

22                  I DON'T WANT TO SUGGEST THAT  
23           EVERYBODY IN THE DESERT HAS TO ADOPT MY IDEAS.  
24           BUT I DO OFFER THEM TO ANYBODY WHO IS  
25           INTERESTED.

1                    ILENE ANDERSON:  ANY OTHER  
2        QUESTIONS?

3                    OKAY.  THANK YOU VERY MUCH.

4                    DAVE THORNTON:  THANK YOU.

5                    ILENE ANDERSON:  AND I WOULD ALSO  
6        LIKE TO INVITE DR. HAL AVERY TO SAY A FEW  
7        COMMENTS WITH REGARDS TO HIS INVOLVEMENT IN  
8        THE TRT.

9                    AND, DR. AVERY, IF YOU COULD KEEP IT  
10       CONCISE, THAT WOULD HELP WITH OUR TIME LINES.

11                    HAL AVERY:  I WOULD LIKE TO THANK  
12       THE MEMBERS OF THE TRT FOR THE OPPORTUNITY TO  
13       SPEAK HERE.  ALTHOUGH I DIDN'T KNOW I WAS  
14       SPEAKING UNTIL QUITE RECENTLY, THE LAST 20  
15       MINUTES.

16                    RON KEMPER:  HAL, JUST FOR POINT OF  
17       ORDER, WOULD YOU GIVE YOUR NAME?

18                    HAL AVERY?  OH, YES.  MY NAME IS HAL  
19       AVERY.  I AM WITH DREXEL UNIVERSITY AND THE  
20       SCHOOL OF ENVIRONMENTAL SCIENCE, ENGINEERING  
21       AND POLICY.  I HAVE A PH.D. IN BIOLOGY IN  
22       WHICH I ACTUALLY DID MY PH.D. ON THE EFFECTS  
23       OF LIVESTOCK GRAZING IN RELATION TO TORTOISE  
24       ECOLOGY.

25                    PEOPLE HAVE BEEN HEARING THE NUMBER

1       OF 230 POUNDS OFTEN. THAT NUMBER WAS DERIVED  
2       FROM THE RESEARCH THAT I HAD DONE.

3               BASICALLY WE HAD SHOWN THAT TORTOISE  
4       DIETS AND FORAGING BEHAVIOR WERE NOT  
5       SIGNIFICANTLY DIFFERENT IN GRAZED OR PROTECTED  
6       AREAS FROM GRAZING WHEN YOU HAD THAT MUCH  
7       FORAGE AVAILABLE.

8               AND IN A YEAR WHERE YOU HAVE  
9       MARGINAL PRODUCTION, ABOUT 71 POUNDS PER ACRE,  
10      FOR EXAMPLE, WE SHOWED THAT THE DIETS OF  
11      TORTOISES ARE CHANGED OR ALTERED BY THE  
12      PRESENCE OR ABSENCE OF CATTLE.

13              THIS INDICATED THAT THERE WAS FOOD  
14      COMPETITION BETWEEN THE CATTLE AND THE  
15      TORTOISE IN THE AREA THAT WE STUDIED, WHICH  
16      WAS IN THE EASTERN MOHAVE DESERT IVANPAH  
17      VALLEY.

18              ONE THING I WOULD LIKE TO POINT OUT,  
19      THAT I WOULD LIKE TO AGREE WITH DR. MICHAEL  
20      ALLEN, THAT THERE HAVE BEEN VERY FEW STUDIES  
21      ON LIFE HISTORY TRAITS OR THE LIFE TABLE  
22      ANALYSIS OF THE DESERT TORTOISE.

23              AND LET ME JUST TELL YOU WHAT THAT  
24      IS, JUST QUICKLY.

25              BUT BASICALLY IF YOU WANT TO ANSWER

1       QUESTIONS THAT ARE SO FUNDAMENTAL TO TORTOISE  
2       ECOLOGY, SUCH AS WHAT IS THE CAUSE OF DEATH OF  
3       TORTOISES, ARE TORTOISES REPRODUCING AND ARE  
4       THEY RECRUITING NEW ANIMALS INTO THEIR  
5       POPULATION THROUGH REPRODUCTION. WHAT IS  
6       THEIR CLUTCH SIZE, WHAT IS THEIR INDIVIDUAL  
7       EGGS SIZE. HOW MANY OF THESE EGGS THAT ARE  
8       PRODUCED IN A GIVEN YEAR ACTUALLY MAKE IT TO  
9       BE A SURVIVING HATCHLING AND EVEN A SURVIVING  
10      ADULT.

11               THESE ARE ALL QUESTIONS THAT ARE  
12      ANSWERED BY DOING LIFE HISTORY ANALYSIS AND  
13      LIFE HISTORY TABLES. LIFE TABLES, IN FACT.

14               THIS IS THE KIND OF APPROACH THAT I  
15      WOULD LIKE TO TAKE IF WE ARE TO DO SOME  
16      RESEARCH IN THESE EMZ'S SUCH AS AT VALLEY  
17      WELLS, ANSWERING THESE VERY QUESTIONS.

18               WHAT IS THE CAUSE OF DEATH OF  
19      TORTOISES OUT THERE. DOES LIVESTOCK GRAZING  
20      CONTRIBUTE TO THAT. I.E., IS THE MORTALITY  
21      RATES IN TORTOISES DIFFERENT IN GRAZED VERSUS  
22      UNGRAZED AREAS.

23               WHAT IS THE REPRODUCTIVE RATE OF  
24      THESE ANIMALS. DOES THE CLUTCH SIZE OR EGG  
25      SIZE OR THE FREQUENCY OF THESE CLUTCHES THAT

1 ARE PRODUCED, IS THAT AFFECTED BY GRAZING OR  
2 NOT.

3 WHAT ARE THE GROWTH RATES OF  
4 TORTOISES IN GRAZED VERSUS UNGRAZED OR  
5 PROTECTED AREAS.

6 WHAT ARE THE DIETS OF TORTOISES.  
7 EVERYTHING RELIES ON THIS ANIMAL TO GET ENOUGH  
8 FOOD AND WATER TO GROW, TO REPRODUCE. HOW  
9 DOES GRAZING AFFECT THEIR DIETS AND THEIR  
10 WATER INTAKE, IF AT ALL.

11 THESE ARE THE KINDS OF QUESTIONS  
12 THAT WE WOULD LIKE TO PROPOSE AS PART OF THE  
13 EMZ STUDY AT THE VALLEY WELLS ALLOTMENT.

14 I WANT TO ALSO APPLAUD THE WORK THAT  
15 DAVE THORNTON AND WAYNE BURKHARDT HAVE DONE IN  
16 GIVING A STRATEGY FOR TRYING TO OVERCOME THE  
17 PROBLEMS WITH CONFLICTS OF TORTOISES AND  
18 CATTLE.

19 CERTAINLY THE NUMBER OF AUMS THAT  
20 ARE OUT ON AN ALLOTMENT IS ONE OF THE VERY  
21 IMPORTANT VARIABLES THAT AFFECT THE IMPACTS OF  
22 GRAZING TO THE TORTOISE.

23 SO IT IS POTENTIAL -- IT IS  
24 POTENTIAL THAT A REDUCTION IN THE AUMS OR  
25 ANIMAL UNITS THAT ARE OUT THERE COULD IN FACT



1 BE REDUCED TO A POINT IN NOT HAVING AN EFFECT  
2 ON TORTOISES.

3 AND THAT IS THE MANAGEMENT PART. OF  
4 COURSE, WE ARE WORKING IN A VERY  
5 STOCHASTICALLY CHANGING ENVIRONMENT. I WILL  
6 SPELL THAT FOR YOU LATER.

7 THE MOHAVE DESERT DOES VARY  
8 CONSIDERABLY IN ITS RAINFALL, IN ITS  
9 AVAILABILITY OF THESE RESOURCES THAT ARE  
10 CRITICALLY IMPORTANT TO ALL WILDLIFE,  
11 INCLUDING THE TORTOISE.

12 BUT CERTAINLY THE THING THAT WE CAN  
13 CONTROL AND THE THING THAT WE CAN MANAGE IS  
14 HOW MANY ANIMALS ARE OUT THERE GRAZING ON THE  
15 RANGES. AND HAVE THE STRATEGIES TO REDUCE  
16 THAT AND STILL BE ECONOMICALLY VIABLE.

17 IT'S SOMETHING THAT IS POSSIBLE.  
18 POTENTIALLY POSSIBLE. AND STILL NOT HAVE A  
19 MEASURABLE EFFECT ON TORTOISE. WE HAVE TO DO  
20 THE RESEARCH TO FIND OUT.

21 THAT'S ALL I HAD.

22 IF YOU HAVE ANY QUESTIONS.

23 RANDY RISTER: DR. AVERY, IN THE  
24 LAST TEN TO 20 YEARS DO YOU FEEL THAT THERE  
25 HAS NOT BEEN ADEQUATE STUDIES TO DEVELOP THESE

1       LIFE TABLES AS TO THE INFORMATION YOU JUST  
2       DISCUSSED, CLUTCH SIZES, SURVIVABILITY OF  
3       HATCHLINGS TO MATURITY, SO ON AND SO FORTH?

4                HAL AVERY:  THESE LIFE TABLES DO  
5       TAKE A LONG TIME.  WE ARE TALKING ABOUT THE  
6       ORDER OF 15 TO 20 YEARS.  THAT'S ABOUT WHAT  
7       THE GENERATION TIME OF A TORTOISE IS.

8                THERE HAS BEEN DATA COLLECTED.  AND  
9       FRED TURNER HAD STARTED SOME OF THIS WORK IN  
10      THE MID-'70'S.

11               THERE HAVE BEEN STUDY PLOTS THAT  
12      HAVE BEEN DONE SINCE THE MID-'70'S WHERE SOME  
13      OF THIS INFORMATION COULD BE PLUGGED IN.

14               BUT THE STUDY PLOTS IN THEMSELVES  
15      WOULD NOT BE ADEQUATE TO PRODUCE A LIFE TABLE.  
16      IT WOULD BE THE WORK THAT PERHAPS FRED TURNER  
17      HAD DONE IN RELATION WITH THE BLM.

18               LOOKING AT SURVIVORSHIP,  
19      REPRODUCTION, AND ALL THE OTHER IMPORTANT  
20      PERIMETERS OVER A LONG PERIOD OF TIME, HE MAY  
21      HAVE THE BEST DATA SET THAT HAS NOT PRODUCED A  
22      PUBLISHED LIFE TABLE.  BUT THAT DATA COULD  
23      POTENTIALLY I THINK BE UTILIZED TODAY.

24               RANDY RISTER:  BASED UPON THAT DATA  
25      AND WHAT ADDITIONAL DATA WOULD HAVE TO BE

1 COLLECTED TO COMPLETE THESE TABLES, HOW MUCH  
2 MORE TIME DO YOU THINK IT WOULD TAKE TO DO  
3 THAT?

4 HAL AVERY: TO PRODUCE THE LIFE  
5 TABLE, FOR EXAMPLE, AT THE GOFFS AREA WHERE  
6 FRED TURNER HAD STUDIED, THAT MAY BE -- I  
7 DON'T KNOW EXACTLY THE STATUS OF THAT. BUT I  
8 HAD HEARD THAT THE LIFE TABLE WAS BEING  
9 PRODUCED FOR THAT STUDY. THAT ENOUGH DATA HAD  
10 BEEN COLLECTED TO PRODUCE THAT LIFE TABLE.  
11 ALTHOUGH WE HAVE NEVER SEEN IT YET.

12 IN SOME OF THESE OTHER AREAS, SUCH  
13 AS VALLEY WELLS, IF WE WERE TO START THIS WE  
14 WOULD NOT HAVE A LIFE TABLE FOR SOME TIME.  
15 HOWEVER, WE WOULD HAVE IMMEDIATE ANSWERS TO  
16 SOME OF THE POPULATION PERIMETERS THAT ARE  
17 OCCURRING OUT THERE ON TORTOISES.

18 FOR EXAMPLE, SOMETHING THAT WE WOULD  
19 KNOW PRETTY MUCH INSTANTANEOUSLY AFTER A YEAR  
20 OR TWO OF SURVEYING OUT THERE WOULD BE, FOR  
21 EXAMPLE, SEX RATIOS OF THE POPULATION.

22 ALTHOUGH NOT SPECIFICALLY A PART OF  
23 A LIFE TABLE PERIMETER, IT DOES GIVE AN  
24 INDICATION OF WHETHER OR NOT THERE IS BIASED  
25 MORTALITY RATES AGAINST A PARTICULAR SEX, FOR

1       EXAMPLE.  OR IF OUR SEX RATIO IS FOUR MALES TO  
2       ONE FEMALE, THEN WHY IS IT THAT THE FEMALES  
3       ARE UNDERREPRESENTED AS ADULTS IN THIS  
4       POPULATION.

5               AND SO SOME OF THOSE ANSWERS CAN BE  
6       GOTTEN VERY QUICKLY THAT MAY INDICATE PROBLEMS  
7       IN THE POPULATION.  AND THE MORE DURATION THAT  
8       YOU DO THIS, THE MORE AND BETTER INFORMATION  
9       YOU WILL HAVE ON THIS POPULATION ODYSSEY.

10              WE HAVE STARTED TO DO LIFE TABLE  
11       ANALYSES, LIFE HISTORY AND DEMOGRAPHY ANALYSES  
12       IN RELATION TO FORT IRWIN EXPANSION AND  
13       REFERENCE AREAS.  WE ARE AT ABOUT THREE YEARS  
14       OF THAT NOW AND WE ARE FINDING SOME VERY  
15       INTERESTING THINGS.

16              BUT WE WON'T LEAVE HAVE A LIFE TABLE  
17       FOR THAT FOR SOME MORE NUMBER OF YEARS.  BUT  
18       WE ALREADY CAN ANSWER WHAT ARE THE CAUSES OF  
19       MORTALITY, AT LEAST, IN THE SEVERAL YEARS THAT  
20       WE HAVE DONE IT.  WHAT ARE THE SEX RATIOS IN  
21       THE POPULATION, ET CETERA.

22              DENNIS CASEBIER:  WHO OWNS THAT DATA  
23       AT THE GOFFS ALLOTMENT WHICH YOU SAY IS  
24       INCOMPLETE?

25              HAL AVERY:  THE OWNER OF THE DATA I

1 GUESS WOULD BE THE DEPARTMENT OF INTERIOR.

2 THE MANAGER OF THE DATA WOULD BE DR. KRISTIN  
3 BERRY.

4 DENNIS CASEBIER: NOW, YOU DO YOUR  
5 WORK FOR THE DEPARTMENT OF THE INTERIOR?

6 HAL AVERY: MY WORK ON GRAZING WAS  
7 WITH THE DEPARTMENT OF INTERIOR BACK IN THE  
8 EARLY TO MID-'90'S. PRESENTLY MY WORK IS WITH  
9 DREXEL UNIVERSITY, FUNDED PRESENTLY WITH THE  
10 RESEARCH THAT I AM DOING ON DEMOGRAPHY THROUGH  
11 THE DEPARTMENT OF DEFENSE. BUT I AM NOT A  
12 GOVERNMENT EMPLOYEE ANY LONGER.

13 DENNIS CASEBIER: BUT THE MONEY  
14 COMES FROM THE DEPARTMENT OF DEFENSE?

15 HAL AVERY: THE FUNDING FOR  
16 DEMOGRAPHY RESEARCH DOES PRESENTLY COME FROM  
17 THE DEPARTMENT OF DEFENSE.

18 DENNIS CASEBIER: DID YOU EVER HAVE  
19 ACCESS TO THAT DATA?

20 HAL AVERY: TO WHICH DATA ARE YOU  
21 REFERRING, I AM SORRY?

22 DENNIS CASEBIER: FROM GOFFS WHERE  
23 YOU SAID IS THE MOST COMPLETE SET.

24 HAL AVERY: I HAVE NOT HAD ACCESS TO  
25 THAT DATA.

1 DENNIS CASEBIER: HAVE YOU TRIED?

2 HAL AVERY: I HAVE NOT SPECIFICALLY  
3 TRIED TO OBTAIN THOSE DATA.

4 DENNIS CASEBIER: WHY WOULDN'T YOU?

5 HAL AVERY: BECAUSE THE PERSON WHO  
6 MANAGES THE DATA IS WORKING ON THAT FOR  
7 PUBLICATION. AND THAT WE THEN ANTICIPATE  
8 BEING FORTHCOMING.

9 DENNIS CASEBIER: WOULDN'T THE  
10 PUBLIC INTEREST TAKE PRECEDENCE OVER DEFERRING  
11 THE RELEASE OF DATA FOR PERSONAL PUBLICATION?

12 I AM TURNING MY HEAD AWAY FROM YOU,  
13 BECAUSE I AM NOT SURE YOU ARE THE ONE TO  
14 ANSWER THAT.

15 BUT THAT TROUBLES ME. THAT AS A  
16 TAXPAYER -- THERE MAY BE SOME OTHER TAXPAYERS  
17 HERE TODAY -- WE HAVE THIS WHAT COULD BE  
18 PRETTY CRITICAL DATA PAID FOR BY THE  
19 DEPARTMENT OF INTERIOR. DEPARTMENT OF  
20 DEFENSE, DEPARTMENT OF INTERIOR. BY THE  
21 FEDERAL GOVERNMENT. YOU KNOW, I JUST KIND OF  
22 MADE A FUNNY FACE. AND IT'S NOT AVAILABLE.

23 HAL AVERY: WELL, IF YOU ARE  
24 REFERRING TO ANY DATA THAT I HAVE COLLECTED,  
25 MY DATA IS AVAILABLE FOR PEOPLE WHO REQUEST

1 IT.

2 DENNIS CASEBIER: I AM NOT REALLY  
3 REFERRING TO YOUR DATA.

4 HAL AVERY: OKAY.

5 DENNIS CASEBIER: I AM REFERRING TO  
6 THIS DATA AT GOFFS.

7 HAL AVERY: I CAN'T ANSWER YOU.

8 DENNIS CASEBIER: WHERE AM I  
9 SUPPOSED TO LIVE OUT THERE.

10 HAL AVERY: NICE PLACE.

11 DENNIS CASEBIER: THAT YOU REFER TO  
12 AS THE MOST COMPLETE SET. I HAVE HEARD THAT  
13 BEFORE.

14 AND HERE WE ARE AT A TIME WHEN THERE  
15 ISN'T ANY SINGLE THING THAT'S DRIVING THE  
16 MANAGEMENT OF THE DESERT MORE THAN THE  
17 TORTOISE.

18 AND HERE THE GOVERNMENT HAS DATA  
19 OVER HERE AND THE GOVERNMENT HAS DATA OVER  
20 HERE, AND WE PAID FOR IT, AND WE CAN'T PUT IT  
21 TOGETHER. THAT'S WHAT TROUBLES ME.

22 ROY DENNER: AND I'D JUMP ON THAT  
23 BANDWAGON, TOO, DENNIS. IT'S NOT ONLY A  
24 MATTER OF THE DATA. THIS IS AT LEAST THE  
25 THIRD, MAYBE THE FOURTH BIOLOGIST WE HAVE

1       HEARD FROM TODAY WHO SAID GOING OUT, WELL,  
2       THAT GUY IS DOING HIS DEAL, THAT GUY IS DOING  
3       HIS DEAL.  AND IF YOU ASKED EVERY ONE OF THEM  
4       FOR THEIR OPINION OF WHAT THE STATUS OF THE  
5       DESERT TORTOISE IS, YOU WOULD HEAR A DIFFERENT  
6       OPINION FROM EVERY BIOLOGIST.

7                 SOMEWHERE, YOU KNOW, WE ARE RUNNING  
8       AROUND IN CIRCLES CHASING OUR TAIL.  YET MAJOR  
9       LAND USE MANAGEMENT DECISIONS ARE BEING MADE  
10      BASED ON INFORMATION THAT SOMEBODY HAS DECIDED  
11      IS THE BEST OF WHAT ALL OF YOU GUYS HAVE ALL  
12      MIXED UP.  IT DOESN'T MAKE SENSE TO ME.

13                (AUDIENCE APPLAUSE.)

14                RON KEMPER:  MR. SALT, MY  
15      UNDERSTANDING IS THAT THE DATA BELONGS TO THE  
16      DEPARTMENT OF INTERIOR.  THAT A PARTICULAR  
17      DOCTOR IS THE CUSTODIAN OF THAT.

18                IN THAT YOU ARE THE DIRECTOR AND YOU  
19      OWN THE MATERIAL, CAN YOU GET IT?  CAN YOU  
20      SHARE IT?

21                TIM SALT:  I DON'T KNOW THAT I OWN  
22      THE DATA.  I THINK HE SAID THE DEPARTMENT OF  
23      INTERIOR DID.

24                RON KEMPER:  THE DEPARTMENT OF  
25      INTERIOR.



1                   TIM SALT:  AND THAT'S LIKE A SURVEY.  
2  ALSO THE DEPARTMENT OF DEFENSE.

3                   I AM NOT SURE THAT THE BLM OWNS THE  
4  DATA.  I THINK THE DOCTOR ALREADY SAID THE  
5  DEPARTMENT OF INTERIOR OWNS THE DATA.  USGS IS  
6  IN THE DEPARTMENT OF INTERIOR.

7                   I CAN CERTAINLY FOLLOW UP WITH DR.  
8  BERRY AND SEE WHAT THE STATUS OF PUBLISHING  
9  THAT DATA IS.

10                  I THINK ONE OF THE CONCERNS -- AND  
11  DR. AVERY CAN EITHER BACK ME UP OR TELL ME  
12  WHERE I AM WRONG ON THIS -- BUT I THINK ONE OF  
13  THE CONCERNS IS MOST, YOU KNOW, RESEARCHERS  
14  AREN'T GOING TO GO -- IT ISN'T A MATTER OF  
15  JUST TAKING THE DATA AND PUBLISHING DRAWN  
16  CONCLUSIONS ON IT.  IT'S GOING TO TAKE A BODY  
17  OF WORK TO PREPARE THAT DATA SO IT CAN BE  
18  USED.

19                  AND I DON'T THINK MOST RESEARCHERS  
20  ARE GOING TO BE INTERESTED IN ASKING FOR  
21  SOMEBODY ELSE'S DATA SO THEY CAN DO THAT WORK  
22  WHEN THEY HAVE THEIR OWN WORK.

23                  BUT I WILL FOLLOW UP WITH DR. BERRY  
24  AND SEE WHERE THAT IS.

25                  BILL BETTERLY:  I, TOO, HAVE SOME

1 CONCERNS.

2 I DON'T KNOW. WE HAD A COUPLE OF  
3 GEOLOGISTS SPEAKING HERE TODAY. AND I HAD THE  
4 PLEASURE OF RIDING WITH YOU ON THAT ONE RANCH  
5 OUT THERE.

6 AND I AM NOT SO SURE THAT DR. BERRY  
7 IS THE ONE THAT SHOULD BE PUTTING THIS  
8 TOGETHER, ALTHOUGH I GUESS SHE IS COMMISSIONED  
9 TO DO THAT.

10 BUT TO ME WHEN I READ HER '78  
11 REPORT, '79 REPORT, '84, I THINK SHE IS TOO  
12 BIASED TO GIVE AN OPINION.

13 I THINK THAT YOU MIGHT HAVE THE  
14 DATA, THE DEPARTMENT OF INTERIOR MIGHT HAVE  
15 THE DATA, BUT TO ME HAVING HER DO IT IS LIKE  
16 HAVING THE FOX GUARDING THE HEN HOUSE.

17 (AUDIENCE APPLAUSE.)

18 ILENE ANDERSON: LET'S REFOCUS THIS  
19 CONVERSATION ON THE GRAZING TRT AND WHAT WE  
20 ARE TRYING TO ACCOMPLISH WITHIN THAT GRAZING  
21 TRT.

22 DENNIS CASEBIER: I THINK HE IS  
23 FOCUSED.

24 THESE TWO GENTLEMAN THAT CAME DOWN  
25 HERE TODAY, DR. AVERY AND DR. ALLEN, ARE THE

1       CLEAREST OPPORTUNITY WE HAVE HAD TO TRY TO GET  
2       A STATEMENT OUT OF WHAT APPEARS TO BE A COUPLE  
3       OF OBJECTIVE SCIENTISTS.  AND I THINK THAT'S  
4       WHAT --

5               BILL BETTERLY:  THAT'S EXACTLY WHAT  
6       I AM GETTING AT.  BECAUSE IN HER '78 REPORT  
7       SHE HAD BETWEEN 600 AND 800 TORTOISES PER  
8       SQUARE MILE.  IN THE '84 IT WAS BETWEEN 200  
9       AND 400 PER MILE SQUARE.

10              HELL, I DON'T KNOW THE DIFFERENCE  
11       BETWEEN THE TWO.

12              BUT I DO KNOW THERE IS A LOT OF  
13       DIFFERENCE BETWEEN 600 AND 800 OR 200 AND 400.

14              AND EVEN EARLIER TODAY DR. ALLEN AND  
15       DR. AVERY AND THE OTHERS THAT HAVE SPOKE  
16       REALLY DIDN'T SUPPORT THE NUMBERS.

17              AND THAT'S WHAT SCARES ME BY HAVING  
18       HER COORDINATE OR BRING ALL THIS DATA TOGETHER  
19       SO THAT WE COULD GET SOME IDEA HOW MANY DESERT  
20       TORTOISES ARE OUT THERE.

21              WE HAD ONE TELL US THAT THERE'S TWO  
22       RESPIRATORY DISEASES THAT ARE KILLING THE  
23       TORTOISES.

24              AND I THINK THAT IMPERIAL COUNTY HAS  
25       FOUND THAT OUT SO MANY TIMES WHEN THEY PUT IN

1       THESE GUZZLERS OR WATER SOURCES THAT THEY HAVE  
2       HAD.

3               AND I JUST DON'T KNOW -- I AM  
4       COMFORTABLE WITH YOU, BUT I AM NOT COMFORTABLE  
5       WITH HER, LET ME PUT IT THAT WAY.

6               BUT I IMAGINE IT'S NOT UP TO A  
7       LITTLE PEON THAT HAS BEEN A FORMER POLITICIAN  
8       TO SAY WHO WANTS TO MAKE THIS STUDY.

9               ILENE ANDERSON:   JIM.

10              JIM REDDY:   I AM ALSO EXTREMELY  
11       TROUBLED BY THIS.   AND I WILL KEEP IT FOCUSED  
12       TO THE TRT, IF I CAN.   BUT I THINK IT DOES  
13       HAVE WIDER APPLICATION.

14              THE ONE ENCOURAGING THING I HEARD  
15       YOU SAY, WHICH WAS THE FIRST TIME I'VE EVER  
16       HEARD ANYONE SAY THAT ON ANY ISSUE, WHETHER  
17       IT'S MINING, GRAZING OR OFF-ROAD VEHICLES.  
18       MAYBE I JUST MISSED IT IN THE PAST.   BUT I WAS  
19       ENCOURAGED TO HEAR YOU SAY WHAT YOU WANTED TO  
20       DO A STUDY COMPARING WITH COWS AND WITHOUT  
21       COWS.

22              HAL AVERY:   ABSOLUTELY.

23              JIM REDDY:   BECAUSE SO FAR ALL WE  
24       SEEM TO BE DOING IS SAYING WITHOUT COWS,  
25       WITHOUT MINING, WITHOUT OFF-ROAD VEHICLES AND

1 LET THINGS COME BACK.

2 AND REALLY WHAT YOU NEED TO DO --  
3 THE ONLY WAY YOU ARE GOING TO DEFINITELY  
4 FIND OUT IF EACH OF THESE SEPARATE IMPACTS  
5 LIKE GRAZING HAS AN IMPACT IS TO COMPARE WITH  
6 AND WITHOUT. AND THAT'S GETTING BACK TO  
7 PRETTY FUNDAMENTALISM.

8 BUT I AM EXTREMELY DISTURBED THAT --  
9 I GUESS I ALSO MISSED THE POINT WHEN DR. BERRY  
10 PRESENTED TO US THE LAST COUPLE OF MEETINGS  
11 AGO, I DIDN'T REALIZE SHE HAD BEEN HOLDING ON  
12 TO THAT DATA FOR 30 YEARS.

13 THE WHOLE POINT OF EVERYTHING THAT  
14 WE ARE HERE FOR TODAY, NEMO, NECO, THE  
15 GRAZING, EVEN THE -- I GUESS MOST ISSUES IS  
16 OFF-ROAD VEHICLES, BUT NOT TODAY'S ISSUE, IS  
17 IN THE DUNES.

18 BUT THE WHOLE POINT OF EVERYTHING  
19 THAT WE'VE DONE DURING THE PAST SIX YEARS I  
20 HAVE BEEN ON THIS COUNCIL HAS BEEN DRIVEN BY  
21 THE DESERT TORTOISE.

22 AND NOW TO FIND OUT THAT THE BLM --  
23 A DEPARTMENT THAT THE BLM IS IN HAS THE BEST  
24 DATA, THAT IT ISN'T BEING PUBLISHED --

25 FIRST, IF THE DATA EXISTS, ANY ONE

1       OF US ON THIS COUNCIL COULD FILE A FREEDOM OF  
2       INFORMATION ACT AND HAVE IT.

3               I HAVE HAD TO DO THIS QUITE OFTEN  
4       WITH THE GOVERNMENT IN MY BUSINESS IN ORDER TO  
5       GET THE INFORMATION. SO WE COULD GET THAT  
6       DATA.

7               I DON'T KNOW THAT ANY OF US WOULD  
8       KNOW WHAT TO DO WITH IT ONCE WE GOT IT.

9               BUT IF THE DATA IS THERE, THE BLM  
10      HAS IT, WHY WE ARE WAITING FOR SOME -- AND I  
11      DON'T KNOW WHETHER SHE IS A BIASED OR UNBIASED  
12      PERSON, THE BEST PERSON OR THE WORST PERSON,  
13      BUT SHE HAS GOT THE DATA.

14              WHY IT'S BEING HELD WHILE THE WHOLE  
15      DESERT IS BEING HELD HOSTAGE TO HER HOLDING  
16      THAT DATA UNTIL IT'S PUBLISHED IS INCREDIBLE  
17      TO ME.

18              IT'S AMAZING TO NOT FIND THAT OUT IN  
19      THE SIX YEARS THAT I HAVE BEEN ON THE COUNCIL.

20              (AUDIENCE APPLAUSE.)

21              ROY DENNER: JIM, JUST RELATIVE TO  
22      YOUR COMMENTS ON THE STUDY SHOULD BE DONE WITH  
23      AND WITHOUT.

24              THE PRECEDENT HAS BEEN SET. YOU  
25      KNOW, YOU SAID THE SAND DUNES ISSUE DOESN'T

1       APPLY TO THE TORTOISE PROBLEM.

2                   HOWEVER, A STUDY FINALLY HAS BEEN  
3       DONE RELATIVE TO THE MILKVETCH PLANT IN THE  
4       AREAS THAT DO HAVE VEHICULAR TRAFFIC AND THOSE  
5       THAT DON'T, AND GUESS WHAT? IT LOOKS LIKE THE  
6       VEHICLES ARE ACTUALLY SPREADING THE SEEDS AND  
7       THE PLANT IS THRIVING BETTER IN THE AREAS  
8       WHERE THERE IS VEHICLE TRAFFIC.

9                   AND THAT'S A WELCOME SOUND FOR SOME  
10      REASON, WHETHER IT'S CATTLE GRAZING OR  
11      WHATEVER.

12                  HAL AVERY: COULD I MAKE A COMMENT  
13      REGARDING THIS?

14                  BEFORE RESEARCH, FOR EXAMPLE, WE ARE  
15      INTERESTED IN SEEING ULTIMATELY WHAT THE  
16      IMPACTS OF MANURES ARE.

17                  WE HAVE REFERENCE SITES -- WHAT WE  
18      CALL REFERENCE SITES -- WHERE WE DON'T HAVE  
19      MANURES. WE WILL NEVER HAVE MANURES.

20                  WE HAVE AREAS THAT ARE PROTECTED  
21      WITH A 100 PERCENT PROTECTION WITHIN A  
22      NATIONAL PARK ALL THE WAY DOWN THROUGH  
23      DIFFERENT LEVELS OF PROTECTION THAT WILL NEVER  
24      GET THIS KIND OF MANEUVERING.

25                  AND THEN WE WILL HAVE AN AREA THAT

1 WE WILL LOOK AT BEFORE AND AFTER MANEUVERING  
2 OCCURS.

3 BECAUSE THERE ARE NATURAL RATES OF  
4 CHANGE IN POPULATIONS THAT EXIST, REGARDLESS  
5 OF THE LAND USE IN QUESTION, WHETHER IT BE  
6 MINING OR OFF-ROAD VEHICLE USE OR GRAZING.

7 IF YOU DON'T UNDERSTAND THE NATURAL  
8 RATES OF CHANGE THAT OCCUR IN RELATION TO  
9 DROUGHT AND OTHER CHANGES IN RESOURCE  
10 AVAILABILITY IN THE MOHAVE DESERT, OF  
11 RAINFALL, PLANT AVAILABILITY THAT'S THEIR  
12 FORAGE, YOU WILL NOT BE ABLE TO STATE WITH ANY  
13 AUTHORITY WHAT THE IMPACTS OF ANY LAND USE IS.

14 AND YOU HAVE TO HAVE THOSE REFERENCE  
15 SITES. AND IT'S IMPERATIVE. BECAUSE WITHOUT  
16 THAT BUILT-IN -- I HATE TO SAY THE WORD  
17 "CONTROL", BUT I WILL -- WITHOUT THAT BUILT-IN  
18 CONTROL OF KNOWING WHAT THE NATURAL RATES OF  
19 CHANGE ARE, YOU CANNOT INTERPRET WHAT THE  
20 EFFECTS ARE OF ANY USE.

21 AND THAT'S WHY WE HAVE THAT DESIGN.

22 ROY DENNER: IS THAT 100 PERCENT  
23 TRUE? ON ISSUES LIKE THIS CAN'T YOU FACTOR IN  
24 A GROSS LEVEL, A FINE-TUNED LEVEL?

25 FOR EXAMPLE, ONE OF THE PROBLEMS



1 WE'VE HAD ON THESE LAND MANAGEMENT PLANS IS NO  
2 ONE HAS EVER COME UP WITH ANY KIND OF AN --  
3 EVEN A SUBSTANTIVE THEORY ABOUT THE RELATIVE  
4 IMPACTS ON THE DESERT TORTOISE WITH VARIOUS  
5 USES.

6 FOR EXAMPLE, WE SEE A LIST OF WHAT  
7 IMPACTS THE DESERT TORTOISE. CATTLE GRAZING,  
8 OHV USE, THE DISEASE. ON-ROAD KILLS.  
9 PREDATORS LIKE RAVENS.

10 BUT NOBODY HAS EVER SAID THAT FIRST  
11 LOOK AT THIS PROBLEM WITHOUT UNDERSTANDING,  
12 YOU KNOW, THE STATUS OF TORTOISES YOU ARE  
13 TALKING ABOUT AND WHAT ITS GROWTH PICTURE  
14 LOOKS LIKE.

15 IT SEEMS LIKE SOMEBODY COULD SAY,  
16 YOU KNOW, WE HAVE TAKEN OUR FIRST CUT AT THIS  
17 AND IT LOOKS TO ME LIKE --

18 FOR EXAMPLE, MANY PEOPLE ARE SAYING  
19 THE DISEASE IS CAUSING 90 PERCENT OF THE LOSS  
20 OF THE DESERT TORTOISE WHERE OHV USE AND  
21 CATTLE GRAZING MAY ALL BE LESS THAN WITHIN  
22 THREE PERCENT OF WHAT'S LEFT.

23 YET WE ARE MAKING LAND MANAGEMENT  
24 DECISIONS AND WE ARE SPENDING ALL OF OUR MONEY  
25 PURSUING CATTLE GRAZING AND OHV USE. AND

1 NOBODY SPENT A WHOLE LOT OF MONEY LOOKING AT  
2 THE TORTOISE DISEASE.

3 SO I AM QUESTIONING YOUR STATEMENT  
4 THAT WITHOUT THE BASIS OF THE STATUS AND  
5 GROWTH PICTURE, WE CAN'T MAKE ANY ASSUMPTIONS  
6 ABOUT RELATIVE IMPACT.

7 IS THAT REALLY TRUE?

8 ILENE ANDERSON: YOU KNOW, I WOULD  
9 LIKE TO TRY TO, ONCE AGAIN, AND FOR THE  
10 PURPOSES OF THIS DISCUSSION, WHICH WAS THE  
11 GRAZING TRT, TRY TO STEER IT BACK TO SOMETHING  
12 THAT THE COUNCIL AND THE TRT CAN USE TO MOVE  
13 FORWARD.

14 BILL BETTERLY: I KIND OF THOUGHT HE  
15 WAS FOCUSING.

16 HAL AVERY: IN RELATION TO CATTLE  
17 GRAZING. THERE IS DISEASE. THERE ARE A  
18 NUMBER OF OTHER IMPACTS THAT OCCUR TO THE  
19 TORTOISE POPULATIONS.

20 WITHOUT FULLY UNDERSTANDING WHAT  
21 THESE OTHER FACTORS ARE, IT'S VERY DIFFICULT  
22 AND REALLY IMPOSSIBLE TO ATTRIBUTE WHAT ARE  
23 THE EFFECTS OF THAT IMPACT SUCH AS GRAZING.

24 AND THAT'S WHY IN THE RESEARCH THAT  
25 I HAVE CONDUCTED WE LOOKED AT WHAT TORTOISES

1 WERE DOING IN THE SAME AREA BETWEEN A FENCE  
2 LINE AND HAVING CATTLE PRESENT AND NO CATTLE  
3 PRESENT.

4 AND WE WERE QUITE COMFORTABLE THAT  
5 WE WERE TAKING INTO ACCOUNT THAT THERE WERE  
6 OTHER THINGS GOING ON, BECAUSE THESE ANIMALS  
7 MAY HAVE BEEN SEPARATED BY LESS THAN A  
8 KILOMETER IN SPACE.

9 BUT THERE WAS A DIFFERENCE IN THE  
10 PRESENCE OR ABSENCE OF CATTLE. AND THAT KIND  
11 OF CONTROL SITUATION IS WHAT'S NEEDED FOR  
12 RESEARCH TO BE ABLE TO DIFFERENTIATE THE  
13 IMPACTS OF THAT LAND USE TO THE NATURAL  
14 CHANGES AND RATES OF CHANGE.

15 AND THAT'S WHAT WE PROPOSE FOR THE  
16 EMZ AT VALLEY WELLS, AS WELL.

17 BOB ELLIS: HAL, COULD YOU MENTION  
18 PERHAPS THE THREAT TO ONE OF THE KEY  
19 SCIENTIFIC RESOURCES IN THE DESERT WITH  
20 RESPECT TO THIS AND THAT'S YOUR EARLY RESERVE  
21 IN THE MOHAVE PRESERVE, FIRST OF ALL.

22 AND THEN SECONDLY, PERHAPS MENTION  
23 SOME OF YOUR RESEARCH WITH RESPECT TO THE  
24 TRAMPLING OF TORTOISE BURROWS FROM GRAZING?

25 HAL AVERY: OKAY. LET ME TAKE THE

1 SECOND ONE FIRST, IF I MAY.

2 BOB ELLIS: YEAH. ALL RIGHT.

3 HAL AVERY: IN REGARDS TO TRAMPLING  
4 OF DESERT TORTOISES AND THE RATE OF WHICH  
5 TRAMPLING AFFECTS THE TORTOISE, WE DID FIND IN  
6 ONE PARTICULAR YEAR WHERE CATTLE GRAZING DID  
7 AFFECT TORTOISE BEHAVIOR, TORTOISE TIME AND  
8 BUDGETS BY TRAMPLING OF A LARGE PROPORTION.  
9 50 PERCENT OF THE BURROWS HAD BEEN TRAMPLED IN  
10 EARLY SPRING.

11 THESE TORTOISES COME OUT IN EARLY  
12 SPRING AFTER HIBERNATING FROM APPROXIMATELY  
13 LATE NOVEMBER THROUGH MARCH.

14 THE ANIMALS THAT WE WERE TRACKING  
15 HAD RADIOTELEMETRY DEVICES PUT ON THEM. WE  
16 WERE FOLLOWING THEM IN SPACE AND TIME TO SEE  
17 WHAT THEY WERE EATING.

18 BUT WHILE WE WERE DOING THAT WE WERE  
19 ALSO NOTICING THAT THEY WERE ATTEMPTING TO USE  
20 BURROWS THAT HAD BEEN EITHER COMPLETELY OR  
21 PARTIALLY DESTROYED THAT PREVIOUS WINTER.

22 AND THE RATE AT WHICH TORTOISES WERE  
23 TRYING TO USE THESE DESTROYED BURROWS WAS  
24 ABOUT 50 PERCENT. OR ONE OUT OF EVERY TWO OF  
25 THE BURROWS THEY WERE TRYING TO USE WAS EITHER

1       PARTIALLY OR COMPLETELY DESTROYED IN EARLY  
2       SPRING.

3               BY LATE SPRING THEY HAD LEARNED  
4       WHICH WERE TRAMPLED, WHICH WERE NOT, AND THEY  
5       WERE ONLY ATTEMPTING TO USE THE ACTIVE BURROWS  
6       THAT WERE STILL INTACT.

7               THAT'S THE TRAMPLING ISSUE.

8               THE OTHER ISSUE WAS THE FORAGING  
9       ECOLOGY. IS THAT WHAT YOU WERE --

10              BOB ELLIS: I BELIEVE THE THREAT TO  
11       THE PLOT THAT YOU HAVE HAD THERE FOR 20 YEARS.

12              HAL AVERY: THE THREATS TO THE  
13       PLOTS.

14              BOB ELLIS: THE FACT THAT THE  
15       PRESERVE MAY TAKE YOUR ORIGINAL PLOT DOWN.

16              HAL AVERY: YES. THAT'S SOMETHING  
17       ELSE THAT'S OCCURRING.

18              THERE'S PROBABLY ONE OF THE FEW  
19       EXCLOSURES, IF ANY THAT I KNOW OF, IN FACT,  
20       THAT ARE WITHIN DESERT TORTOISE HABITAT THAT  
21       HAVE BASELINE VEGETATION AND SOIL DATA.

22              IT'S LOCATED IN IVANPAH VALLEY.  
23       IT'S A SIX SQUARE KILOMETER EXCLOSURE. AND  
24       IT'S ONE OF OUR VERY FEW PLACES THAT WE HAVE  
25       LONG-TERM VEGETATION AND SOIL TRANSITS SET UP

1        THAT WE MONITOR PERIODICALLY.

2                    AND THERE IS ALSO TORTOISES THAT  
3        HAVE BEEN MONITORED FOR THAT LONG, AS WELL, OR  
4        LONGER.

5                    THERE IS A PROPOSAL TO ROLL UP THAT  
6        FENCE AND REMOVE THE EXCLOSURE NOW, WITH  
7        MANAGEMENT OF THE NATIONAL PARK SERVICE.  
8        BECAUSE THE GRAZING ALLOTMENT IN WHICH THAT'S  
9        LOCATED HAS BEEN CLOSED AND THEY SAY THEY ARE  
10       GOING TO BE REMOVING THE BURROS THAT ARE  
11       PRESENT OUT THERE AND THERE WON'T BE A NEED  
12       FOR IT ANYMORE.

13                   THIS IS A CONCERN TO PEOPLE LIKE  
14       MYSELF, PHIL METICA AND OTHERS WHO HAVE DONE  
15       RESEARCH OUT THERE FOR 20 PLUS YEARS. BECAUSE  
16       IT REALLY IS OUR ONLY REFERENCE SITE THAT'S  
17       REALLY CLOSE TO 100 PERCENT PROTECTION.

18                   AND WE HAVE HAD EXCURSIONS OF CATTLE  
19       THAT HAVE BROKEN THROUGH THAT EVEN AND  
20       EXCURSIONS OF OFF-ROAD VEHICLES OR AT LEAST  
21       VEHICLES -- I AM NOT SURE WHAT KIND OF  
22       VEHICLE -- THAT HAVE BROKEN THROUGH THE FENCE  
23       TO GO THROUGH IT, AS WELL.

24                   SO IT IS A PLACE OF GREAT PROTECTION  
25       THAT'S INCOMPARABLE IN ITS VALUE FOR STUDY.

1                   RON KEMPER: DOCTOR, RON KEMPER.  
2                   IN THAT WE HAVE BROUGHT UP THE  
3                   TRAMPLING ISSUE -- AND I WILL KEEP IT AS SHORT  
4                   AS I CAN. AND I DON'T EVEN KNOW IF YOU  
5                   REMEMBER. BUT I WILL ASK THE QUESTION. AND  
6                   IF YOU CAN'T ANSWER IT, I THINK I CAN. BUT I  
7                   WOULD LIKE YOU TO ANSWER.

8                   DO YOU REMEMBER THE STOCKING RATE ON  
9                   THAT RANCH AT THE TIME THE TRAMPLING OCCURRED  
10                  AND ALSO THE NUMBER OF TORTOISES AND HOW DOES  
11                  THAT COMPARE TO THE RANCHES THAT WE ARE  
12                  LOOKING AT STUDYING TODAY IN MOHAVE.

13                  HAL AVERY: THE STOCKING RATE AT  
14                  IVANPAH VALLEY AGAIN IS ONE OF THE MOST  
15                  CRITICAL PERIMETERS TO KNOW FOR SUCH RESEARCH.  
16                  IT'S APPROXIMATELY ONE AND A HALF HEAD -- ONE  
17                  AND A HALF AUM PER SQUARE MILE.

18                  THE DENSITY OF TORTOISES IS  
19                  APPROXIMATELY SOMEWHERE AROUND 100 TO 160 PER  
20                  SQUARE MILE PERIMETER WHEN WE DID OUR  
21                  RESEARCH.

22                  AND HOW DOES THAT COMPARE TO THE  
23                  OTHER ALLOTMENTS THAT WE ARE TALKING ABOUT  
24                  HERE?

25                  I HAVE NEVER SEEN THE DATA FOR

1 STOCKING RATES ON THESE ALLOTMENTS, AT LEAST  
2 TO MY KNOWLEDGE.

3 RON KEMPER: WOULD IT SURPRISE YOU  
4 IF I TOLD YOU IT WAS ABOUT 800 ACRES?

5 HAL AVERY: ONE AUM PER 800 ACRES?

6 RON KEMPER: YEAH.

7 HAL AVERY: NO. I THINK -- MY  
8 IMPRESSION IS THAT THE STOCKING RATE IS LOWER  
9 IN THESE OTHER PLACES THAT I HAVE SEEN, SUCH  
10 AS LAZY DAISY, THAN WHERE WE HAD DONE OUR WORK  
11 AT KESSLER SPRINGS ALLOTMENT.

12 I CANNOT ANSWER THAT FOR VALLEY  
13 WELLS AT THIS TIME, BECAUSE ALTHOUGH CATTLE  
14 SEEM TO BE, YOU KNOW, LOW AUM AMOUNTS, I DID  
15 SEE LOTS OF EVIDENCE OF BURROS. AND AN AUM TO  
16 WILDLIFE IS A CERTAIN AMOUNT OF REMOVAL,  
17 WHETHER IT BE BY BURRO OR BY CATTLE.

18 BUT THE TORTOISE DENSITIES ARE SOME  
19 OF THE HIGHEST WHERE WE STUDIED THAT I HAVE  
20 EVER SEEN.

21 ILENE ANDERSON: YOU KNOW, I THINK  
22 THESE CONVERSATIONS ARE GERMANE TO WHAT WE ARE  
23 TRYING TO GET AT, SOME SORT OF RESOLUTION WITH  
24 THE GRAZING ISSUES. AND I WOULD LIKE TO SEE  
25 THESE CONVERSATIONS CONTINUED.



1                   HOWEVER, I QUESTION IF THIS IS  
2           REALLY THE MOST EFFECTIVE USE OF THE COUNCIL'S  
3           TIME, CONSIDERING THE OTHER ISSUES THAT WE  
4           NEED TO COVER THIS AFTERNOON AND THE  
5           OPPORTUNITY FOR PUBLIC COMMENT.

6                   SO ONCE AGAIN I WOULD LIKE TO ASK  
7           THE COUNCIL TO CONSIDER THAT BEFORE THEY  
8           CONTINUE TO ASK QUESTIONS.

9                   RANDY RISTER: I WOULD LIKE TO ASK  
10          TWO QUICK QUESTIONS BEFORE DR. AVERY GOES, IF  
11          I MAY.

12                   COULD YOU DIFFERENTIATE BETWEEN THE  
13          BURROWS THAT WERE DAMAGED BY CATTLE OR BURROS?  
14          YOU SAID THAT THE TORTOISES WERE ATTEMPTING TO  
15          USE DAMAGED OR DESTROYED BURROWS.

16                   HAL AVERY: YES.

17                   RANDY RISTER: CAN YOU TELL IF THEY  
18          WERE DESTROYED BY CATTLE OR BY THE FARROW  
19          BURROS?

20                   HAL AVERY: YES, WE CAN. BECAUSE  
21          THE PRESENCE OF COW TRACKS WERE AVAILABLE FOR  
22          US TO SEE. AND YOU CAN ACTUALLY SEE COW PATHS  
23          OF COW TRACKS GOING. AND IN THE MIDST OF THAT  
24          THE DESTROYED BURROW AND THEN THE COW TRACK  
25          LEAVING AGAIN.

1                   RANDY RISTER:  ARE THERE OTHER  
2   NATURAL DISASTERS OR OCCURRENCES THAT COULD  
3   ALSO DESTROY THESE TORTOISE BURROWS?

4                   HAL AVERY:  THERE ARE A CERTAIN  
5   PERCENT.  WE HAD TEN PERCENT DESTRUCTION  
6   INSIDE THE PROTECTED AREA OF THE TORTOISE  
7   BURROWS.

8                   AGAIN, YOU HAVE TO LOOK AT THE  
9   NATURAL RATES OF THESE THINGS VERSUS THE  
10  EFFECT THAT YOU WANT TO MEASURE.

11                  SO WE LOOKED AT THE NATURAL RATES  
12  AND FREQUENCY ACTUALLY OF DESTRUCTION IN A  
13  PROTECTED AREA.  AND TEN PERCENT OF THOSE HAD  
14  BEEN DESTROYED BY SMALL MAMMALS FURROWING INTO  
15  THE TOP OF THE SHELTER SITE.

16                  RANDY RISTER:  YOU ALSO INDICATED  
17  THAT THE BURROS LEARNED WHICH ONES WERE  
18  DESTROYED OR DAMAGED AND WHICH ONES THEY COULD  
19  USE THROUGHOUT THE SPRING?

20                  HAL AVERY:  TORTOISE.

21                  RANDY RISTER:  THE TORTOISE, YES.

22                  HAL AVERY:  THE TORTOISE LEARNED  
23  THROUGHOUT ITS ACTIVITY TIME IN THE EARLY  
24  SPRING AND BY SEVERAL WEEKS INTO THE SPRING  
25  TORTOISES WERE NOT ATTEMPTING TO USE THOSE

1 DESTROYED BURROWS.

2 RANDY RISTER: DID YOU ALSO NOTE IF  
3 THEY WERE DIGGING NEW BURROWS OR REPLACING  
4 THOSE BURROWS THAT HAD BEEN DAMAGED?

5 HAL AVERY: IT LOOKED LIKE THEY WERE  
6 USING NEW ONES THAT WERE EITHER USED BY  
7 THEMSELVES EARLIER OR USED BY OTHERS.

8 RANDY RISTER: SO THEY LEARNED WHICH  
9 ONES WERE DAMAGED. SOME WERE DAMAGED BY  
10 CATTLE AND BURROS OR NATURAL STORMS, AND THEN  
11 DIGGING NEW ONES.

12 HAL AVERY: WE DID NOT SEE A REAL  
13 HIGH INCIDENCE OF DIGGING NEW ONES. THEY  
14 SWITCHED TO USING ACTIVE BURROWS THAT WERE  
15 ALREADY AVAILABLE.

16 RANDY RISTER: THANK YOU.

17 ILENE ANDERSON: THANK YOU, DOCTOR.

18 WELL, I GUESS THE QUESTION THAT I  
19 HAVE THEN FOR THE COUNCIL IS I WOULD LIKE --  
20 WELL, MY DISCUSSION POINT IS THIS:

21 I FEEL THAT WE STILL HAVE SOME MORE  
22 WORK THAT CAN BE DONE. AND, YOU KNOW, I WOULD  
23 CERTAINLY LIKE TO SEE US TAKE ANOTHER SWING AT  
24 THIS AND SEE IF WE CAN'T COME UP WITH A GOOD  
25 ALTERNATIVE TO ACTUALLY BRING TO THE DAC FOR

1 ACTION.

2 RON KEMPER: MADAM CHAIR, RON  
3 KEMPER.

4 I HAVE SOME CONCERNS ON TIME  
5 CONSTRAINTS.

6 IN THE RIDGECREST MEETING WE WERE  
7 GIVEN A DEADLINE OF THE NOVEMBER MEETING FOR  
8 THE GRAZING INTEREST TO BRING AN ALTERNATIVE.

9 IT WAS ACTUALLY DONE BY A MOTION AND  
10 A SECOND. I BELIEVE -- A UNANIMOUS VOTE, I  
11 BELIEVE.

12 THAT MEETING HAS GOTTEN MOVED TO  
13 THIS DATE. AND THAT WAS TO BE AN ACTION ITEM.

14 I THINK WE NEED TO KNOW AND HAVE ON  
15 THE RECORD WHAT THE POSITION OF BLM IS.

16 WE HAVE AN ALTERNATIVE THAT'S BEEN  
17 HANDED IN BY A RANCHER. AND WHAT WE DON'T  
18 WANT TO HAVE HAPPEN IS FOR THE TIME TO EXPIRE  
19 ON AN ALTERNATIVE BECAUSE WE EXTEND THE  
20 MEETING.

21 I AM PREPARED TO MAKE A MOTION TO  
22 THE DAC. AND THAT MOTION WOULD BE THAT WE  
23 ENTER INTO A FIVE-YEAR STUDY.

24 FIRST OF ALL, LET ME GIVE YOU A  
25 LITTLE BACKGROUND.

1                   WHAT WE HAVE LEFT IN THE MOHAVE IS  
2           TEN PERCENT OF THE PRODUCTION OF WHAT WAS  
3           HISTORICALLY THERE IN LIVESTOCK PRODUCTION.

4                   SO OFTENTIMES WE HEAR, WELL, YOU  
5           GIVE UP THESE THREE ALLOTMENTS.

6                   WE ARE DOWN TO LESS THAN TEN  
7           PERCENT. IF YOU ARE GOING TO DO A STUDY, YOU  
8           HAVE TO DO A STUDY ON ALLOTMENTS WITH COWS  
9           AND WITHOUT COWS.

10                  I AM NOT WILLING TO CONTINUE TO DROP  
11          LOWER THAN THAT TEN PERCENT FIGURE.

12                  I BELIEVE THAT YOU SHOULD BE HIRING  
13          MR. AVERY ON A FIVE-YEAR PROGRAM FOR AN  
14          ADAPTIVE MANAGEMENT PROGRAM TO BE DETERMINING  
15          THE COMPETITION RATE, IF ANY, BETWEEN  
16          LIVESTOCK PRODUCTION AND TORTOISES.

17                  THE STUDY WHERE HAL SPENT THREE  
18          YEARS -- AND I BELIEVE THREE YEARS IS CORRECT.  
19          THE STOCKING RATE WAS 400 PERCENT HIGHER THAN  
20          ANY OF THE RANCHES THAT WE ARE TALKING ABOUT.

21                  AND THE NUMBERS OF TORTOISES WAS  
22          1,000 PERCENT HIGHER.

23                  WELL, ON VALLEY WELLS THERE IS AN  
24          ESTIMATED 20 TORTOISES PER SECTION AND -- OR  
25          PER ACRE PER SECTION.

1                   AND I BELIEVE WHERE THE STUDY AREA  
2           WAS THERE WAS 200.   AND THAT'S HOW THE 230  
3           POUNDS OF EPHERMERAL CAME ABOUT.

4                   WELL, IF YOU HAVE ONE COW FOR EVERY  
5           FOUR AND TEN TORTOISES FOR EVERY ONE,  
6           OBVIOUSLY THERE IS GOING TO BE A DIFFERENCE IN  
7           THE AMOUNT OF CONSUMPTION.

8                   SO THE STUDY WAS A PRETTY GOOD STUDY  
9           FOR THAT PARTICULAR RANCH.   PUT IT CERTAINLY  
10          DOESN'T APPLY TO THE RANCHES THAT WE ARE  
11          DISCUSSING HERE TODAY.

12                  SO WHAT I WOULD LIKE TO PROPOSE IN  
13          THE FORM OF A MOTION IS THAT THE DAC CONSIDER  
14          AN ALTERNATIVE THAT ALLOWS FOR ADAPTIVE  
15          MANAGEMENT OVER THE NEXT FIVE YEARS, WITH A  
16          COMPETITION STUDY BEING DONE BY MR. AVERY ON  
17          ALL THESE RANCHES.

18                  AND THAT THE ADAPTION BEING TAKEN IN  
19          WITH THE OPERATOR THROUGH THE RESEARCH PROCESS  
20          WHICH IS ALLOWED THROUGH THE LAW.

21                  SO WHAT WE WOULD HAVE IS REALLY A NO  
22          CHANGE ALTERNATIVE, BUT WITH ADAPTIVE  
23          MANAGEMENT ASSEMBLED BY THE RESEARCHER OVER  
24          THE FIVE-YEAR PERIOD.

25                  ILENE ANDERSON:   IS THERE A SECOND

1 SO WE CAN DISCUSS THIS?

2 BILL BETTERLY: I WILL SECOND TO  
3 DISCUSS IT.

4 ISABELLA BURNS: RON KEMPER, COULD I  
5 ASK YOU A QUESTION?

6 RON KEMPER: YES, YOU MAY.

7 ISABELLA BURNS: THESE THREE RANCHES  
8 YOU REFERRED TO EARLIER THAT ARE NOT BEING  
9 OCCUPIED AT THIS TIME, WHICH THREE RANCHES ARE  
10 YOU TALKING ABOUT?

11 RON KEMPER: I THINK THE RANCHES --  
12 THE RANCHES THAT WE VISITED WERE THE LAZY  
13 DAISY. THEY WERE VALLEY WELLS. THEY WERE  
14 CRESENT PEAK. AND JEAN LAKE, I BELIEVE. FOUR  
15 RANCHES. DID I LEAVE ANY OUT?

16 BOB ELLIS: YOURS.

17 RON KEMPER: MINE'S NOT IN THE MIX.  
18 KESSLER SPRINGS. AND THE REMNANTS OF VALLEY  
19 VIEW.

20 DENNIS CASEBIER: KESSLER SPRINGS  
21 DOESN'T HAVE ANY CATTLE ON IT.

22 RON KEMPER: IT'S AN OPEN ALLOTMENT  
23 AND IT HAS BEEN APPLIED FOR. BUT BECAUSE OF  
24 THE STIPULATED AGREEMENT THEY WON'T ALLOW IT  
25 TO BE USED AT THIS TIME.

1 DENNIS CASEBIER: AND WHAT DID YOU  
2 SAY ABOUT VALLEY VIEW?

3 RON KEMPER: THERE IS A REMNANT OF  
4 VALLEY VIEW DOWN I BELIEVE TOWARDS JEAN LAKE.

5 DENNIS CASEBIER: SO --

6 RON KEMPER: THEY HAVE ALL BECOME  
7 STUDY AREAS. THAT AMOUNT OF RANCH THAT'S IS  
8 LEFT IN THE PRODUCTION IS FAR LESS THAN TEN  
9 PERCENT. I WAS ACTUALLY INCLUDING THE WHOLE  
10 MOHAVE.

11 I THINK THAT YOU PROBABLY HAVE LESS  
12 THAN 2,000 COWS RIGHT NOW ON THE WHOLE MOHAVE,  
13 WHEN THE HISTORICAL PRODUCTION WAS BETWEEN  
14 30,000 AND 50,000 COWS.

15 DENNIS CASEBIER: SO WOULD YOU  
16 INCLUDE STATELINE?

17 RON KEMPER: I DON'T BELIEVE THAT  
18 RANCH IS IN PRODUCTION AT THIS TIME. WHO HAS  
19 THAT?

20 DENNIS CASEBIER: JOHN BLAIR.

21 RON KEMPER: MILTON BLAIR.

22 DENNIS CASEBIER: NO, THAT'S JOHN  
23 BLAIR. DESERT TORTOISE.

24 RON KEMPER: YEAH.

25 DENNIS CASEBIER: BUT IT'S IN FENNER



1 VALLEY WHERE THEY OVERLAP WITH THE TORTOISE.

2 RON KEMPER: I HAD NOT INCLUDED THAT  
3 ONE BECAUSE THEY HAVE ACTUALLY A PROGRAM THAT  
4 THEY HAVE WORKED OUT WITH THE PARK AND WITH  
5 FISH AND WILDLIFE.

6 ILENE ANDERSON: WELL, I WOULD LIKE  
7 TO MAKE THE STATEMENT THAT PAUL SMITH, WHO WAS  
8 ON THE TRT, HAD SUBMITTED TO ME THAT --  
9 BECAUSE HE HAD A FAMILY EMERGENCY AND COULDN'T  
10 ATTEND THE MEETING.

11 HIS POSITION IS THAT THE TRT IS NOT  
12 READY TO MAKE A RECOMMENDATION TO THE DAC AND  
13 BLM AND HE WOULD LIKE TO BE PRESENT WHEN THE  
14 COUNCIL VOTES ON THE ISSUE.

15 SO YOU CAN TAKE THAT FOR WHAT IT'S  
16 WORTH. BUT THAT WAS HIS REQUEST THAT THE  
17 COUNCIL CONSIDER THE SITUATION.

18 AND FURTHERMORE, I SEE THAT IS GOING  
19 BEYOND THE -- WHAT WE HAD AGREED TO ORIGINALLY  
20 IN THE DAC TRT TO EVEN REPORT ON TO THE  
21 COUNCIL.

22 RON KEMPER: THIS ISN'T PART OF THE  
23 TRT REPORT. I DON'T WANT YOU TO BE CONFUSED  
24 AT ALL, ILENE.

25 ILENE ANDERSON: I'M NOT.

1                   RON KEMPER:  THIS IS PART OF THE  
2                   REQUIREMENT THAT WAS MADE OF THE GRAZING  
3                   INTEREST AT RIDGECREST.

4                   I AM NOT TALKING AS A PERSONAL TRT,  
5                   I AM TALKING ABOUT SOMEONE FROM THE GRAZING  
6                   INTEREST.

7                   ILENE ANDERSON:  THAT'S FINE.  BUT  
8                   WHAT I AM SAYING IS THAT I THOUGHT IN THE TRT  
9                   YOU WERE WORKING TOWARDS A GOAL AND --

10                  RON KEMPER:  ILENE, I GAVE YOU YOUR  
11                  COURTESY TO FINISH AND I HOPE YOU WILL GIVE ME  
12                  THE SAME.

13                  THERE WAS A MOTION, A SECOND  
14                  CARRIED, AND WE ARE SUPPOSED TO -- THE GRAZING  
15                  INTERESTS ARE SUPPOSED TO BRING IT BACK AT  
16                  THIS MEETING.  THAT'S ALL I AM ASKING TO DO.

17                  DENNIS CASEBIER:  HOW DOES YOUR  
18                  MOTION RELATE TO THE TEXT OF THIS TRT REPORT?  
19                  IT'S QUITE DIFFERENT.

20                  RON KEMPER:  IT IS.  IT IS DIFFERENT  
21                  IN ONE ITEM.  AND THAT ONE ITEM IS THE MARCH  
22                  15TH TO JUNE 15TH CLOSURE AND THE 230 POUND  
23                  EPHEMERAL FORAGE RULE.

24                  AND I WILL TELL YOU WHY I MADE IT  
25                  DIFFERENT.

1                   YOU CAN'T DETERMINE THE COMPETITION  
2           LEVEL WITH THE STOCKING RATE OF CATTLE AND  
3           TORTOISES UNLESS THEY ARE PRESENT.

4                   WE HAVE ALREADY DETERMINED THE 230  
5           DRY LAKE EPHEMERAL RULE WAS DONE WITH A  
6           STOCKING LEVEL 400 PERCENT HIGHER AND THE  
7           TURTLES TEN TIMES THE NUMBERS.

8                   SO WE CAN NEVER ACHIEVE -- YOU CAN  
9           NEVER DETERMINE THE ACCURATE STOCKING RATE IF  
10          WE DESTOCK THE RANCH.

11                   ONCE AGAIN WE ARE DOWN TO LESS THAN  
12          TEN PERCENT. IF WE ARE GOING TO DO A STUDY  
13          THAT INVOLVES CATTLE, YOU HAVE TO LEAVE  
14          CATTLE.

15                   DENNIS CASEBIER: SO WHAT YOU ARE  
16          TRYING TO ACCOMPLISH HERE IS TO RECOGNIZE THE  
17          FACT THAT WE DON'T HAVE ADEQUATE DATA --

18                   RON KEMPER: THAT'S CORRECT.

19                   DENNIS CASEBIER: -- TO DO YOUR JOB  
20          AND TO SET THE WHEELS IN MOTION TO GATHER THAT  
21          DATA.

22                   RON KEMPER: ABSOLUTELY.

23                   DENNIS CASEBIER: SO YOU ARE IN  
24          AGREEMENT WITH ILENE --

25                   RON KEMPER: ABSOLUTELY.

1 DENNIS CASEBIER: -- INSOFAR AS YOU  
2 ARE NOT READY TO HAVE US ENDORSE YOUR TRT  
3 REPORT.

4 BUT WHAT YOU ARE SAYING IS THAT YOU  
5 THINK WE ARE AT THE POINT WHERE WE COULD  
6 CONCLUDE -- AND IT'S BASED ON SUCH SCIENTIFIC  
7 DATA THAT WE HAVE -- THAT WE DON'T HAVE  
8 ADEQUATE SCIENTIFIC DATA.

9 SO YOU THINK WE SHOULD URGE THE  
10 DISTRICT DIRECTOR TO SET THE WHEELS IN MOTION  
11 TO GATHER THAT DATA.

12 RON KEMPER: I DO. BUT I AM TRYING  
13 TO SET THE PERIMETERS OF RECEIVING THAT DATA.

14 WHAT I AM AFRAID IS GOING TO HAPPEN  
15 IS THAT WE ARE GOING TO HAVE A KNEE-JERK  
16 REACTION WHICH SAYS THAT WE HAVE TO REMOVE  
17 CATTLE. AT THE POINT THAT WE REMOVE CATTLE  
18 WE'VE SKEWED THE STUDY.

19 I THINK IF HAL AVERY COMES TO US AND  
20 SAYS, HEY, I AM SEEING A PROBLEM, YOU  
21 GENTLEMAN NEED TO MOVE SOME CATTLE, I THINK  
22 THAT'S FINE.

23 DENNIS CASEBIER: I AM TRYING TO  
24 UNDERSTAND HERE YOUR MOTION A LITTLE BETTER.

25 RON KEMPER: MY MOTION IS TO LEAVE

1 THE REMAINING TEN PERCENT OF THE RANCHES THAT  
2 WERE VIEWED. THE ONES THAT ARE OPERATING AND  
3 THE ONES THAT HAVE POTENTIAL OPERATORS. WITH  
4 THE POTENTIAL OF BEING ABLE TO RUN CATTLE SO  
5 THAT THE STUDY CAN BE DONE IN SUCH A FASHION  
6 THAT WE CAN DETERMINE WHAT THE TRUE STOCKING  
7 RATE SHOULD BE IN REGARDS TO COMPETITION WITH  
8 THE TORTOISE.

9 IF WE REMOVE THE CATTLE AND DO THE  
10 STUDY, YOU CAN'T DETERMINE WHAT THE STOCKING  
11 RATE IS.

12 DENNIS CASEBIER: I THINK WE ARE  
13 GETTING THERE. THAT CAN PROBABLY BE SAID A  
14 LITTLE MORE CONCISELY HERE.

15 RON KEMPER: GOD, I HOPE SO.

16 DENNIS CASEBIER: IT SOUNDS TO ME  
17 LIKE YOU ARE TRYING TO ACCOMPLISH TWO THINGS.

18 ONE IS YOU BETTER NOT REDUCE THE  
19 NUMBER OF ALLOTMENTS ANY MORE OR YOU WILL  
20 NEVER FIND OUT WHAT THE ANSWER IS.

21 AND THE OTHER ONE IS LET'S GO FIND  
22 OUT WHAT THE ANSWER IS.

23 RON KEMPER: CORRECT.

24 DENNIS CASEBIER: THAT'S THE TWO  
25 ELEMENTS TO YOUR --

1                   RON KEMPER:  YES.

2                   DENNIS CASEBIER:  I CAN SUPPORT

3           THAT.

4                   ILENE ANDERSON:  BOB.

5                   BOB ELLIS:  LET'S SEE.  IT SEEMS TO

6           ME NOW THAT -- SO WE HAVE FINISHED THE TRT, I

7           GUESS.  OR MAYBE WE HAVEN'T.

8                   DENNIS CASEBIER:  WE ARE DISCUSSING

9           A MOTION.

10                  BOB ELLIS:  WE ARE DISCUSSING A

11           MOTION WHICH APPEARS -- IT'S INDEPENDENT OF

12           THE TRT REPORT, ISN'T IT?

13                  RON KEMPER:  THAT IS CORRECT.

14                  BOB ELLIS:  AS FAR AS YOU ARE

15           CONCERNED.

16                  RON KEMPER:  ABSOLUTELY.

17                  BOB ELLIS:  OKAY.  HOWEVER, IT HAS

18           BEEN MADE -- I GUESS -- I THINK ILENE FEELS

19           YOU HAVEN'T QUITE PUT THE TRT ISSUE TO BED

20           YET.

21                  OKAY.  SO IF WE PUT THAT TO ONE

22           SIDE -- MAYBE WE WILL FINISH THAT AFTER YOUR

23           MOTION OR NOT.  BUT THE -- OR ARE YOU

24           FEELING --

25                  RON KEMPER:  WE HAVE GOT A MOTION

1       AND A SECOND.

2               BOB ELLIS:  OKAY.  NOW, WHEN WE WERE  
3       IN THE TRT WE DID DISCUSS THE POSSIBILITY OF  
4       AN EXPERIMENTAL MANAGEMENT DONE FOR THE LAZY  
5       DAISY, AS WELL.

6               AND I BELIEVE MILTON BLAIR, THE  
7       RANCHER WHO HAS THE LAZY DAISY, FELT THAT THAT  
8       MIGHT BE A GOOD IDEA.

9               AND THEN WE HAD SOME DIFFICULTY.  
10       AND MY MEMORY ISN'T FULLY CLEAR, BUT I BELIEVE  
11       THERE WAS A LITTLE CONCERN WHEN THE MAN FROM  
12       THE FISH AND WILDLIFE FELT THAT THE EMZ  
13       REQUIREMENTS IN THE RECOVERY PLAN DIDN'T  
14       EXACTLY APPLY EASILY TO THE LAZY DAISY.

15               PERHAPS HE GRAZED TOO MUCH CRITICAL  
16       HABITAT, OR WHATEVER IT WAS.

17               AND SO WE BACKED OFF RECOMMENDING AN  
18       EMZ FOR THE LAZY DAISY.

19               AS FAR AS -- AS FAR AS I CAN SEE, I  
20       AM ALSO IN FAVOR OF FIGURING OUT WHAT IS THE  
21       BEST WAY TO MANAGE CATTLE AND TORTOISES.  AND  
22       I AM IN FAVOR OF EXPERIMENTAL MANAGEMENT  
23       ZONES.

24               SO IF THERE IS -- CAN YOU MAYBE FILL  
25       US IN A LITTLE, RON, ON HOW THAT MIGHT WORK

1       FOR LAZY DAISY WITH RESPECT TO WHAT YOU  
2       BELIEVE IS SUFFICIENT WILDLIFE REQUIREMENTS?

3               RON KEMPER:  I THINK WE ARE KIND OF  
4       MIXING APPLES AND ORANGES.  WHAT MY MOTION WAS  
5       WAS THE DAC SUPPORTING A GRAZING ALTERNATIVE.  
6       IT DIDN'T HAVE ANYTHING TO DO WITH AN EMZ.

7               ILENE ANDERSON:  THAT SOUNDS TO ME  
8       LIKE, RON, WHAT WE HAD VISITED IN THE TRT  
9       WHERE YOU'RE TALKING ABOUT HAVING THIS  
10      EXPERIMENTAL GRAZING OVER ALL OF THE  
11      ALLOTMENTS THERE, WHICH WOULD MAKE IT A HUGE  
12      EMZ ZONE.

13              AND I AM FAIRLY SURE WE WERE GIVEN  
14      ASSURANCES BY FISH AND WILDLIFE SERVICE THAT  
15      THAT JUST WOULDN'T FLY.

16              RON KEMPER:  HERE AGAIN, I AM NOT  
17      TALKING ABOUT THE TRT.

18              ILENE ANDERSON:  NEITHER AM I.  I AM  
19      TRYING TO EXPLAIN TO THE COUNCIL THAT, YOU  
20      KNOW, WE HAVE LOOKED AT THIS AND HAD SOME  
21      AGENCY INPUT ON THAT.

22              NOW, THAT ISN'T THEIR FINAL  
23      DECISION, BY ANY MEANS.  BUT AT THAT POINT  
24      WHEN WE DISCUSSED SOMETHING LIKE THIS, THAT  
25      WAS AN ISSUE THAT THEY GAVE INPUT ON.



1 DENNIS CASEBIER: IS THAT REALLY OUR  
2 PROBLEM? THERE ISN'T ANY WAY THAT THE  
3 ADVISORY COUNCIL CAN SIT HERE AND SECONDGUESS  
4 WHAT FISH AND WILDLIFE SERVICE IS GOING TO DO.

5 ALL WE CAN DO IS BRING OUR OWN  
6 JUDGEMENT TO THE TABLE AND RECOMMEND TO THE  
7 DISTRICT MANAGER, WHO DOES HAPPEN TO BE MORE  
8 SENSITIVE ABOUT THAT THAN WE DO, WHAT WE THINK  
9 IS BEST.

10 NOW, I HAVE SCRIBBLED OUT A LITTLE  
11 BIT SIMPLER STATEMENT. I WILL JUST TOSS IT  
12 OUT, IF FOR NO OTHER REASON THAN MAKING SURE  
13 WHAT YOU MEAN.

14 THE DAC RECOMMENDS, MR. SALT, THE  
15 REMAINING ALLOTMENTS BE KEPT ACTIVE AND THE  
16 STUDY BE SET IN MOTION TO QUANTIFY THE  
17 RELATIONSHIP BETWEEN GRAZING AND THE DESERT  
18 TORTOISE.

19 RON KEMPER: I WOULD ONLY ASK ONE  
20 CHANGE. AND THAT IS THAT THERE WOULD BE NO  
21 CHANGE INITIALLY IN THE ALLOTMENTS, WHETHER IT  
22 BE AUM'S, ACREAGE.

23 NOW, IF ADAPTIVE MANAGEMENT IS  
24 NEEDED AND REQUIRED AND IDENTIFIED BY SOMEBODY  
25 SUCH AS HAL AVERY, I THINK THAT THE RANCHERS

1 HAVE TO BE WILLING TO ADAPT THEIR MANAGEMENT  
2 FOR THE TORTOISE DURING THIS FIVE-YEAR PERIOD.

3 BUT TO REMOVE CATTLE COMPLETELY I  
4 BELIEVE IS A MISTAKE, BECAUSE IT WILL SKEW THE  
5 STUDY.

6 DENNIS CASEBIER: ARE WE GETTING  
7 CLOSER HERE NOW?

8 RON KEMPER: YES, SIR, I THINK SO.

9 DENNIS CASEBIER: WHY DON'T WE DO  
10 THIS: THE DAC RECOMMENDS REMAINING ALLOTMENTS  
11 BE KEPT ACTIVE.

12 YOU ARE SAYING ACTIVE IN THEIR  
13 PRESENT FORM.

14 RON KEMPER: THAT'S CORRECT, SIR.

15 DENNIS CASEBIER: AND A STUDY BE SET  
16 IN MOTION TO QUANTIFY THE RELATIONSHIP BETWEEN  
17 GRAZING AND THE DESERT TORTOISE.

18 IS THAT WHAT YOU WANT?

19 RON KEMPER: YES, SIR.

20 ILENE ANDERSON: AND WOULD THIS BE  
21 JUST WITH INSIDE DWMAS OR ARE YOU  
22 INDICATING -- WHAT IS THE CONTEXT HERE?

23 RON KEMPER: I BELIEVE THAT YOU  
24 WOULD HAVE TO BUILD IT WITHIN DWMAS OR YOU  
25 WOULD BE WASTING A LOT OF MANPOWER AND MONEY,

1 BECAUSE THAT'S THE ONLY PLACE WE'VE  
2 IDENTIFIED.

3 OUTSIDE OF DWMAS YOU HAVE A LOT OF  
4 EVEN TORTOISE HABITAT. IT WOULDN'T MAKE A  
5 WHOLE LOT OF SENSE TO GO UP ON TOP OF THE  
6 KINGSTON MOUNTAINS, YOU KNOW, ANYWHERE ABOVE  
7 5,000 FEET. SO IT SHOULD PROBABLY BE WITHIN  
8 DWMAS.

9 DENNIS CASEBIER: AND, YOU KNOW, WE  
10 ARE IN AN ADVISORY CAPACITY. WE ARE NOT GOING  
11 TO SOLVE ALL OF TIM'S PROBLEMS FOR HIM. HE  
12 CAN TAKE THAT AND SAY, WELL, I CAN DO THIS OR  
13 I CAN DO THAT, SO FAR AS SOME OF THOSE DETAILS  
14 ARE CONCERNED.

15 RON KEMPER: AND DON'T GET ME WRONG.  
16 I ALSO AGREE THAT THE TRT HAS SOME WORK TO DO.  
17 AND I BELIEVE THAT WE CAN CONTINUE TO DO SOME  
18 OF THAT WORK.

19 BUT I WOULD LIKE THE DAC TO TAKE A  
20 POSITION ON THE ISSUE, IF THEY FEEL LIKE THEY  
21 CAN.

22 DENNIS CASEBIER: OKAY, WE HAVE GOT  
23 A MOTION ON THE FLOOR.

24 ILENE ANDERSON: WE ARE HAVING  
25 DISCUSSION. DID YOU WANT TO CONTINUE, BOB?

1                   BOB ELLIS:  I JUST HAVE ONE SHORT  
2   COMMENT.

3                   WHEN WE DID TALK ABOUT THE EMZ WE  
4   ALSO DISCOVERED THAT THESE STUDIES DO COST A  
5   LOT OF MONEY.

6                   SO I DON'T KNOW IF YOU HAVE SOME  
7   ESTIMATES ON THAT OR WHAT -- DO YOU HAVE A  
8   REACTION TO THAT?  OR DO WE JUST WANT TO HAVE  
9   A SENSE -- IS IT A SENSE OF AN INTENT,  
10  REGARDLESS OF THE COST TO IMPLEMENT IN THAT  
11  SENSE?

12                  RON KEMPER:  WELL, I AM ALWAYS  
13  INTERESTED IN COST.  AND IF MR. AVERY WOULD  
14  TAKE ABOUT 30 SECONDS, HE CAN PROBABLY INFORM  
15  US ON WHAT THE COST IS.  AND THEN MAYBE MOLLY  
16  BRADY WOULD LIKE TO TELL US WHAT HER IDEAS ARE  
17  FOR FUNDING.

18                  ROY DENNER:  MADAM CHAIR, WHILE HE  
19  IS COMING UP HERE, I THINK WE HAVE A  
20  PROCEDURAL PROBLEM HERE.

21                  WE'VE GOT TWO MOTIONS AND ONE SECOND  
22  ON THE FLOOR AT THE SAME TIME.  I THINK  
23  SOMEHOW THAT NEEDS TO BE STRAIGHTENED UP FOR  
24  THE COURT REPORTER, I BELIEVE.

25                  DENNIS CASEBIER:  AND I HAVEN'T MADE

1       A MOTION. I AM JUST TRYING TO READ BACK TO  
2       YOU WHAT I THINK --

3               RON KEMPER: YOU ARE TRYING TO  
4       CLARIFY MY MOTION AND I HAVE ACCEPTED IT.

5               DENNIS CASEBIER: YOU ACCEPT MY  
6       CLARIFICATION TO YOUR MOTION?

7               RON KEMPER: YES, SIR.

8               DENNIS CASEBIER: WHO SECONDED IT?

9               BILL BETTERLY: I DID.

10              DENNIS CASEBIER: YOU SECOND IT?

11              BILL BETTERLY: YES, SIR. WITH YOUR  
12       INTERPRETATION.

13              DENNIS CASEBIER: WE HAVE ONE MOTION  
14       AND A SECOND.

15              HAL AVERY: THE ESTIMATED COST I  
16       HAVE NOT FORMALIZED YET. BUT THE ESTIMATED  
17       COST WOULD BE APPROXIMATELY -- FOR THE FIRST  
18       SITE, SAY AT VALLEY WELLS, APPROXIMATELY  
19       \$50,000.00 FOR THE FIRST YEAR.

20              IF YOU INCLUDED MORE SITES THE COST  
21       WOULD GO DOWN CONSIDERABLY.

22              FOR EXAMPLE, IF YOU WERE TO GO TO A  
23       SECOND ALLOTMENT, IT MAY COST A THIRD OR A  
24       QUARTER OF THAT, BECAUSE NOW WE HAVE ALREADY  
25       HIRED THE PEOPLE, GOTTEN THE VEHICLES AND ALL

1 THE LOGISTICS IN MOTION TO DO ONE SITE. AND  
2 IT PRECIPITOUSLY DECREASES THE COST FOR THE  
3 OTHER SITES.

4 SO 50,000 FOR THE INITIAL SITE. AND  
5 MAYBE 15 OR 20 OR LESS, SOMETHING LIKE THAT --  
6 15,000 FOR ADDITIONAL SITES WITHIN THE SAME  
7 YEAR WOULD BE A FIRST APPROXIMATION.

8 (INAUDIBLE COMMENT FROM THE  
9 AUDIENCE.)

10 OH, NO THESE ARE YEARLY COSTS. THIS  
11 IS, AGAIN, THE COST OF MOBILIZING A LARGE TEAM  
12 OF PEOPLE. HOUSING THEM. BECAUSE THERE ARE  
13 PROBABLY A LOT OF VOLUNTEERS OR LOW-INCOME  
14 STUDENTS. GETTING VEHICLES. AND GETTING THE  
15 MINOR EQUIPMENT THAT NEEDS TO BE PURCHASED TO  
16 DO IT. BUT WE HAVE MOST OF THAT ALREADY.

17 RANDY RISTER: QUESTION: WHAT IS  
18 BEING SPENT CURRENTLY ON STUDIES IN THAT AREA?

19 HAL AVERY: FOR THESE ALLOTMENTS?  
20 ZERO DOLLARS. THAT I KNOW OF. FOR STUDY, YOU  
21 MEAN?

22 RANDY RISTER: AND WHAT WILL BE THE  
23 COST ASSOCIATED WITH RANCHING AND OTHER ISSUES  
24 IF NOTHING IS DONE?

25 HAL AVERY: I DON'T KNOW THE ANSWER

1 TO THAT.

2 JIM REDDY: IT SOUNDS LIKE A LOT OF  
3 MONEY. BUT THE ALTERNATIVE IS WE FOLLOW THE  
4 SAME AS THE LAST TEN OR 20 YEARS OF DOING  
5 NOTHING. SO WE ARE SITTING HERE AND NONE OF  
6 US KNOW ANYTHING. WE ARE MAKING DECISIONS ON  
7 KNOWING NOTHING.

8 AND AT SOME POINT IF SOMEBODY  
9 DOESN'T START FUNDING SOME MONEY TO DO THESE  
10 STUDIES, I THINK -- THE GOVERNMENT HAS A LOT  
11 OF PROBLEMS. AND THE PEOPLE THAT WRITE EVEN  
12 JUST ONE CHECK A YEAR, SOMETIMES THAT CHECK  
13 CAN BE RATHER LARGE.

14 THE GOVERNMENT HAS A LOT OF PROBLEMS  
15 WITH CREDIBILITY. AND WE ARE TALKING ABOUT  
16 JUST THE GRAZING ALLOTMENT. IT'S NOT ONLY THE  
17 GRAZING ALLOTMENT, BUT ALL OF OUR OTHER  
18 INTERESTS, JUST LOSING A LOT OF -- THE ONLY  
19 VALUABLE RESOURCE WE REALLY HAVE, WHICH IS  
20 GOVERNMENT LAND, BASED ON BASICALLY NO  
21 INFORMATION.

22 I THINK AT SOME POINT WE NEED TO  
23 START SOME OF THESE STUDIES. AND I WOULD  
24 CERTAINLY HOPE WE CAN GO FORWARD WITH THE  
25 RECOMMENDATION FOR THE MOTION AND MAYBE ADD ON

1 TO THE MOTION THAT WE RECOMMEND THAT THE BLM  
2 FIND A FUNDING SOURCE SO WE CAN ACTUALLY DO  
3 THIS STUDY.

4 TELLING THEM TO DO THIS STUDY, BUT  
5 NOT WITHOUT RECOMMENDING THAT THEY ACTUALLY  
6 FUND IT, YOU GUYS WILL BE SITTING HERE IN SIX  
7 YEARS WHEN YOUR TERMS ARE UP WONDERING WHY WE  
8 DON'T HAVE ANY INFORMATION.

9 RON KEMPER: I WILL SO AMEND MY  
10 MOTION TO BLM FINDING FUNDING SOURCES, IF THE  
11 SECOND WILL CONCUR.

12 BILL BETTERLY: THE SECOND CONCURS.

13 RON KEMPER: MOLLY, DID YOU WANT TO  
14 TALK ABOUT FUNDING OPPORTUNITIES?

15 MOLLY BRADY: IS IT ALL RIGHT IF I  
16 STOP HERE? IS THIS ONE ON? CAN YOU HEAR ME  
17 OKAY? YOU CAN HEAR IT WELL. KNOCK YOU OUT,  
18 KNOCK MYSELF OUT.

19 FIRST I WOULD JUST LIKE TO SAY I  
20 DON'T THINK \$50,000.00 IS VERY MUCH MONEY. I  
21 HAVE SEEN MANY OTHER PROGRAMS, PROJECTS THAT  
22 HAVE COST A GREAT DEAL MORE THAN THAT.

23 I AM THE ONE THAT HAS BEEN PUSHING  
24 ALSO THAT HAL AVERY IS THE APPROPRIATE SOLE  
25 SOURCE FOR THIS RESEARCH, BECAUSE HE HAS DONE



1 THE RESEARCH BEFORE AND HE CLEARLY HAS THE  
2 SKILLS AND ABILITIES AND BACKGROUND.

3 SO I THINK THAT'S HOW I WOULD VIEW  
4 IT, IS I WOULD BE VERY SUPPORTIVE OF MOVING  
5 FORWARD WITH FURTHER RESEARCH.

6 I THINK THE ONLY WAY WE CAN FUND IT  
7 IS IF WE DO MAKE A VERY BIG PUSH FOR  
8 GOVERNMENT APPROPRIATED FUNDS MATCHED BY  
9 ADDITIONAL GRANT FUNDS.

10 THERE ARE A NUMBER OF GRANT PROGRAMS  
11 AND I THINK IF WE GO TO THEM WITH A VERY WELL  
12 FORMULATED PROPOSAL AND A STATEMENT OF THE  
13 NEED THAT THEY WOULD BE VERY RECEPTIVE.

14 ALSO WE HAVE ALSO HAD RANCHING  
15 INTERESTS THAT HAVE VOLUNTEERED AT LEAST UP TO  
16 \$10,000.00 TO THROW IN THE POT.

17 HE IS SITTING BEHIND ME, SO I DON'T  
18 WANT TO SAY HIS NAME.

19 RANDY RISTER: DO YOU THINK THE CBC  
20 WOULD HAVE GRANTS?

21 MOLLY BRADY: I AM NOT ADVERSE TO  
22 HAVING ANYONE LOOK AT THIS. I THINK IT'S WELL  
23 WORTHWHILE. I THINK IT'S A VALUABLE --  
24 VALUABLE INFORMATION.

25 I THINK IT'S BEEN VERY DISCONCERTING

1 TO EVERYONE THAT WE HAVEN'T HAD THE FINAL KIND  
2 OF GOOD DATA THAT WE NEED ON GRAZING.

3 IT SAYS VERY CLEARLY IN THE RECOVERY  
4 PLAN THAT THEY ARE TAKING A CONSERVATIVE  
5 APPROACH. IT DOESN'T SAY IT THAT CLEARLY.  
6 BUT THE RECOVERY PLAN RECOMMENDED THE  
7 ELIMINATION OF CATTLE GRAZING BECAUSE IT  
8 DIDN'T HAVE DATA TO SHOW OTHERWISE.

9 NOW, WHAT I WOULD LIKE US TO DO IS  
10 EITHER TO GET DATA TO SHOW OTHERWISE OR TO  
11 SETTLE THE MATTER.

12 AND AS RON HAS SAID, AND ALL THE  
13 RANCHERS THAT WERE INVOLVED IN THIS, IS  
14 WHATEVER THE OUTCOME OF THAT RESEARCH SHOWS,  
15 WE WILL GO ALONG WITH IT. I THINK THAT'S A  
16 VERY GOOD PART OF IT.

17 ANOTHER GOOD FEATURE OF THE RESEARCH  
18 COMPONENT, AS WELL AS THE MONITORING COMPONENT  
19 OF WHAT THE TRT DISCUSSED, IS THAT IT'S A  
20 COLLABORATIVE EFFORT. THERE ARE CERTAIN  
21 RESPONSIBILITIES OF THE RANCHER TO PARTICIPATE  
22 IN THE MONITORING AND IN THE RESEARCH PROGRAM.  
23 AND SO IT IS VERY MUCH A PARTNERSHIP IN ORDER  
24 TO GET THAT DONE.

25 THE GROUP, ALTHOUGH WE HAD OUR

1 DIFFERENCES -- AND I THINK THEY WERE  
2 LEGITIMATE DIFFERENCES -- WE ALSO FOUND A LOT  
3 OF COMMON AREAS, NOT THE LEAST OF WHICH WAS A  
4 GREAT DEAL OF SUPPORT FOR THE SCIENCE-BASED  
5 DATA AND A TREMENDOUS AMOUNT OF SUPPORT FOR  
6 FOLLOW-UP MONITORING. WHICH I THINK IS A  
7 GREATER CHALLENGE THAN GETTING THE RESEARCH  
8 MONEY.

9 THE RESEARCH MONEY IS OVER HERE.  
10 IT'S A FIVE YEAR, YOU KNOW, GETTING IN A  
11 PROJECT WITH THAT MONEY.

12 BUT THE MONITORING MONEY AND THE  
13 MONITORING EFFORT AND COMMITMENT IS AN ONGOING  
14 THING AND THAT'S WHERE WE ALL NEED TO CONTINUE  
15 TO PRESSURE AND MAKE THAT COMMITMENT TO DO IT  
16 AND GET IT DONE.

17 SO I THINK THERE IS OPPORTUNITIES  
18 HERE. I WOULD LOVE TO SEE A SUPPORT FOR  
19 CERTAIN OF THE RESEARCH PROGRAM.

20 I DO THINK THAT THERE ARE ISSUES  
21 OUTSTANDING, NOT THE LEAST OF WHICH -- BOB HAS  
22 HAD A CHANCE TO TALK ABOUT IT -- BUT CONCERNS  
23 ABOUT TRAMPLING OF BURROWS FOR JUVENILES AND  
24 OTHER CONCERNS WHICH THERE IS VIRTUALLY NO  
25 RESEARCH DATA ON.

1                   MAYBE WE NEED TO INCORPORATE THOSE  
2       ISSUES INTO A RESEARCH COMPONENT AND MONITOR  
3       IT.

4                   SO I KNOW I DIDN'T ANSWER YOUR  
5       QUESTION, BUT  --

6                   DENNIS CASEBIER:  THE BLM WOULD BE  
7       IN A POSITION TO STIPULATE TO THOSE PARTICULAR  
8       THINGS?

9                   MOLLY BRADY:  ABSOLUTELY.

10                  DENNIS CASEBIER:  AND SEE DETAILS  --

11                  MOLLY BRADY:  I MISSED THAT, DENNIS.

12                  DENNIS CASEBIER:  I SAY YOU WOULD BE  
13       IN A POSITION WHEN YOU MET THIS CONTRACT TO  
14       STIPULATE  --

15                  MOLLY BRADY:  ABSOLUTELY.

16                  DENNIS CASEBIER:  -- DETAILS  --

17                  MOLLY BRADY:  DETAILS.

18                  DENNIS CASEBIER:  -- AND RESULTS  
19       THAT YOU WANT TO SEE.

20                  MOLLY BRADY:  THE QUESTIONS THAT WE  
21       WANTED ADDRESSED WOULD BE IDENTIFIED VERY  
22       CLEARLY IN THE CONTRACT.

23                  ILENE ANDERSON:  I JUST WANT TO  
24       WEIGH IN AND SAY THAT I SUPPORT COMPLETELY THE  
25       SCIENTIFIC RESEARCH TO RESOLVE SOME OF THESE.

1 I GUESS MY QUESTION AND MY PROBLEM  
2 WITH THIS IS WHY IT HAS TO BE IN ALL OF THE  
3 DWMA INSTEAD OF IN JUST PART OF IT.

4 MOLLY BRADY: WELL, ACTUALLY WHEN I  
5 SAY I SUPPORT THE STUDY -- I WAS NOT AT THE  
6 VERY LAST TRT MEETING. AND MY SUPPORT HAS  
7 BEEN IN THE PAST -- AND I HAVE BEEN VERY  
8 INTERESTED IN WHAT'S BEEN GOING ON -- WITH  
9 RESPECT TO THE VALLEY WELLS PROPOSAL. AND I  
10 THINK STARTING THERE, SO THAT WE CAN GET MORE  
11 DATA, AND WE CAN EXTRAPOLATE OUT TO OTHER  
12 AREAS AT A LATER TIME.

13 I HAVE NEVER THOUGHT ABOUT IT. I  
14 THINK THAT'S WHAT WE NEED TO DISCUSS AT THE  
15 TRT, THE CONCEPT OF DOING THE STUDY IN EVERY  
16 SINGLE AREA.

17 RON KEMPER: MOLLY, MY CONCERN --  
18 AND I DON'T DISAGREE WITH YOU ON YOUR LAST  
19 COMMENT ABOUT STARTING WITH VALLEY WELLS.

20 BUT AS A BUSINESSMAN I HAVE TO GO  
21 BACK TO WHAT HAL SAYS. WELL, WE DO THE FIRST  
22 ONE FOR 50, THE SECOND ONE FOR 15, THEN THE  
23 NEXT ONE FOR SEVEN.

24 YOU KNOW, WHY WOULD WE WANT TO START  
25 ONE, THEN FIVE YEARS LATER COME BACK AND DO

1       ANOTHER ONE FOR 50. I MEAN, I LIKE HAL, BUT I  
2       DON'T LIKE HIM THAT MUCH.

3               YOU KNOW, I AM LOOKING TO GET OUR  
4       BIGGEST BANG FOR THE BUCK. AND IF WE ARE  
5       GOING TO SPEND PUBLIC MONEY, LET'S DO IT IN  
6       THE MOST EFFICIENT WAY POSSIBLE.

7               MOLLY BRADY: YEAH. WHEN WE FIRST  
8       TALKED ABOUT IT WITH HAL WE TALKED ABOUT DOING  
9       IT AT VALLEY WELLS AND LAZY DAISY DEFINITELY.

10              ROY DENNER: I AM SORRY, ILENE. I  
11      KNOW YOU ARE TIRED OF HEARING ME.

12              BUT RON HAD WANTED CONSIDERED -- I  
13      DON'T KNOW WHETHER YOU WANT TO MAKE THIS PART  
14      OF YOUR MOTION OR NOT -- BUT I WOULD SOMEHOW  
15      LIKE TO SEE IT SAY THAT THE DAC MEMBERS, IN AS  
16      SHORT A PERIOD OF TIME AS POSSIBLE, WILL GET A  
17      COPY OF WHATEVER DOCUMENT -- ASSUMING THIS  
18      MOTION PASSES -- OF WHATEVER DOCUMENT THAT'S  
19      SUBMITTED FORWARD TO THE DEPARTMENT OF THE  
20      INTERIOR, SO THAT WE KNOW THAT ACTION HAS  
21      ACTUALLY BEEN TAKEN ON THIS ISSUE.

22              THE SECOND THING IS, I WOULD LIKE  
23      YOU TO READ THE COMPLETE MOTION AGAIN BEFORE  
24      WE VOTE ON IT. BECAUSE I AM NOT SURE EXACTLY  
25      HOW IT READS OUT LOUD.

1                   RON KEMPER:  I'M AFRAID I AM GOING  
2           TO HAVE TO HAVE THE COURT REPORTER DO THAT  
3           PROBABLY, BUT SHE WON'T WANT TO GO BACK TO HER  
4           NOTES.

5                   DENNIS CASEBIER:  I CAN READ WHAT I  
6           HAVE HERE.

7                   RON KEMPER:  OKAY.

8                   DENNIS CASEBIER:  BECAUSE I DID  
9           WRITE IT DOWN.

10                  ROY DENNER:  THAT WILL BE THE  
11       MOTION, THEN.

12                  DENNIS CASEBIER:  IT'S THE MOTION.

13                  RON KEMPER:  HE WROTE IT DOWN.

14                  DENNIS CASEBIER:  BUT IT MAY NOT BE.  
15       I MAY NOT WRITE FAST ENOUGH.

16                  ROY DENNER:  DO YOU WANT TO DISCUSS  
17       WHETHER OR NOT YOU WANT TO PUT IN THERE THAT  
18       WE BE NOTIFIED OF THE MECHANISM THAT  
19       COMMUNICATES IT FORWARD?

20                  RON KEMPER:  JUST FOR A MATTER OF  
21       CLARIFICATION, ROY, ARE YOU TALKING ABOUT MR.  
22       AVERY'S WORK AS IT BECOMES AVAILABLE?

23                  ROY DENNER:  NO, NO, NO.  I AM  
24       TALKING ABOUT THIS MOTION.  I WOULD LIKE TO  
25       SEE SOMETHING IN WRITING THAT SAYS THAT THIS

1       MOTION WENT FORWARD -- IF IT PASSES -- THAT  
2       THE MOTION WAS ACTUALLY COMMUNICATED UP THE  
3       LINE TO THE DEPARTMENT OF THE INTERIOR, SO WE  
4       KNOW THAT IT'S PASSED ON.

5               DENNIS CASEBIER:  ACTUALLY --

6               TIM SALT:  THAT'S ALREADY A  
7       REQUIREMENT.

8               DENNIS CASEBIER:  WE DON'T HAVE TO  
9       DO THAT.  HE DOESN'T HAVE TO PASS IT ON.

10              ROY DENNER:  THERE HAVE BEEN  
11       INCIDENTS IN THE PAST WHERE WE NEVER KNEW  
12       WHETHER OUR MOTION WENT FORWARD, WE NEVER KNEW  
13       WHAT THE DEPARTMENT OF THE INTERIOR'S REACTION  
14       TO IT WAS, AND WE NEVER RECEIVED ANY  
15       COMMUNICATION BACK WHETHER IT WAS BEING  
16       CONSIDERED OR NOT.

17              RON KEMPER:  ROY --

18              DENNIS CASEBIER:  THE MOST YOU CAN  
19       ASK FOR IS FOR TIM TELLING YOU HE DID IT.

20              RON KEMPER:  ROY.  AND TIM -- MR.  
21       SALT CAN PROBABLY CLARIFY.  BECAUSE I BELIEVE  
22       AT THE RIDGECREST MEETING WE ADDRESSED THIS  
23       ISSUE AND TIM AGREED TO REPORT BACK TO US AS  
24       TO WHAT HIS DECISION WAS TO DO.

25              ISN'T THAT THE WAY YOU REMEMBER IT?



1       YOU CAN ONLY TAKE ADVICE FROM US.  AND IF YOU  
2       DECIDE TO DISREGARD IT AND THROW IT IN TRASH,  
3       YOU WILL JUST COME BACK AND TELL US WHY.

4               TIM SALT:  THAT'S CORRECT.

5               RON KEMPER:  AND IF YOU SEND IT ON  
6       YOU WILL TELL US THAT, AS WELL.

7               TIM SALT:  THAT'S CORRECT.

8               RON KEMPER:  THAT'S THE DEAL THAT  
9       WAS STRUCK AT RIDGECREST; CORRECT?.

10              ROY DENNER:  I HATE TO BEAT A DEAD  
11       HORSE, BUT WE'VE BEEN TOLD THAT WE WOULD HAVE  
12       A CORRECTION TO THE MINUTES FROM THE MEETING  
13       IN BARSTOW LAST OCTOBER, AND I STILL HAVEN'T  
14       SEEN IT.

15              RON KEMPER:  OKAY.  DO YOU WANT TO  
16       READ ME BACK MY MOTION?

17              DENNIS CASEBIER:  HERE IT IS, WHAT I  
18       HAVE.

19              THE DAC RECOMMENDS REMAINING  
20       ALLOTMENTS BE KEPT ACTIVE IN THEIR PRESENT  
21       FORM.  AND A STUDY BE SET IN MOTION TO  
22       QUANTIFY THE RELATIONSHIP BETWEEN GRAZING AND  
23       DESERT TORTOISE.  AND THAT BLM ARRANGE FOR  
24       FUNDING.

25              RON KEMPER:  I BELIEVE THAT'S

1       ACCURATE.

2               ISABELLA BURNS:  I WILL SECOND.

3               ILENE ANDERSON:  ALL THOSE IN FAVOR?

4               [ALL IN FAVOR SAID AYE.]

5               OPPOSED.

6               [ALL OPPOSED RAISED THEIR HAND.]

7               ABSTENTIONS.

8               OKAY.  LET THE RECORD SHOW 11 IN

9       FAVOR AND TWO AGAINST.

10              IT'S 3:00 O'CLOCK NOW.  WHY DON'T WE

11       TAKE A BREAK AND WE WILL GET BACK TO SOME OF

12       THESE OTHER ISSUES.

13              (RECESS TAKEN.)

14              ILENE ANDERSON:  I GUESS MY QUESTION

15       NOW TO THE COUNCIL IS DOES THE COUNCIL HAVE

16       ANY ADDITIONAL DIRECTION BEFORE THE GRAZING

17       TRT.  SHOULD WE PURSUE SOMETHING ADDITIONAL?

18              WALLY LEIMGRUBER:  I DON'T THINK WE

19       HAVE THAT MUCH TIME LEFT.

20              ILENE ANDERSON:  OKAY.  SO NO

21       FURTHER DIRECTION TO THE TRT.  THEN WE WILL GO

22       ON FROM THERE.

23              I GUESS WE WILL GET BACK TO THE

24       DISCUSSIONS ABOUT THE THREE ISSUE ITEMS THAT

25       THE BLM IS SEEKING OUR INPUT ON.

1                   AND I THINK I WILL OPEN THAT UP WITH  
2           THE DISCUSSION ABOUT WATERERS.   ADDITIONAL  
3           GUZZLERS.

4                   BOB ELLIS:   ILENE?

5                   ILENE ANDERSON:   YES.

6                   BOB ELLIS:   LET'S SEE.   WE'RE IN  
7           EFFECT MAKING RECOMMENDATIONS ON PARTS OF NECO  
8           AND NEMO AS A BOARD.   AND I WAS WONDERING IF  
9           WE SHOULD BE DOING THIS AFTER THE PUBLIC  
10          COMMENT.

11                   ILENE ANDERSON:   YES, I THINK THIS  
12          IS JUST THE COUNCIL DISCUSSION OF THESE  
13          ISSUES.

14                   BOB ELLIS:   OKAY.

15                   ILENE ANDERSON:   AND AS SOON AS WE  
16          WRAP THAT UP, WHICH HOPEFULLY WE WILL BE ABLE  
17          TO, YOU KNOW -- EACH OF US GIVE WHATEVER  
18          POSITION WE HAVE ON THESE ISSUES TO THE  
19          COUNCIL, THEN WE WILL BE ABLE TO OPEN UP FOR  
20          PUBLIC DISCUSSION.

21                   AND THE SOONER WE DO THAT, THE MORE  
22          TIME THESE FOLKS HAVE TO LET US HEAR WHAT  
23          THEIR ISSUES ARE.

24                   RON KEMPER:   MADAM CHAIR, JUST  
25          PROCEDURALLY-- AND I KNOW THAT WE ARE RUNNING

1       OUT OF TIME, AND I AM PARTLY TO BLAME FOR  
2       THAT, AND I APOLOGIZE.

3               MAYBE IF WE WOULD, YOU KNOW, START  
4       EITHER FROM LEFT OR FROM RIGHT, KIND OF LOOK  
5       DOWN THE TABLE AND SEE WHO HAS SOMETHING TO  
6       SAY AND JUST KIND OF MOVE THROUGH IT?

7               ILENE ANDERSON:   GREAT IDEA.

8               BILL BETTERLY:   IS THAT ON ANYTHING  
9       OR JUST THE TRT?

10              ILENE ANDERSON:   WE HAVE LEFT THE  
11       TRT DISCUSSION NOW.   THERE IS NOT GOING TO BE  
12       ANY FURTHER WORK BY THE GRAZING TRT.

13              RON KEMPER:   THIS IS IN REGARDS TO  
14       GAME GUZZLERS, I BELIEVE.

15              ILENE ANDERSON:   RIGHT.   THIS IS  
16       WITH REGARD TO THE THREE ISSUE ITEMS THAT BLM  
17       WOULD LIKE SOME COUNCIL DIRECTION ON.

18              AND I THOUGHT WE COULD START HAVING  
19       DISCUSSION ON THOSE THREE ISSUES.

20              AND IF YOU WILL RECALL, THOSE ARE  
21       THE ADDITIONAL GUZZLERS AS PROPOSED IN THE  
22       NECO PLAN.   THE WATERERS.

23              THERE IS THE ROUTE DESIGNATION  
24       ISSUES IN BOTH PLANS.

25              AND THE PRESCRIPTIONS WITHIN THE

1 DESERT WILDLIFE MANAGEMENT AREAS. THE DWMAS.

2 SO I THINK RON'S SUGGESTION WAS  
3 GREAT. AND I WILL START WITH JIM AND SEE IF  
4 YOU HAVE ANY COMMENTS ON ANY OF THESE ISSUES.

5 JIM REDDY: STARTING WITH THE WATER  
6 GUZZLER ISSUE?

7 ILENE ANDERSON: SURE. WHY DON'T WE  
8 DO ONE ISSUE AT A TIME SO THAT EVERYBODY GETS  
9 STARTED AT THE SAME PLACE. SO WE'LL START  
10 WITH THE GUZZLERS AND GO AROUND. ROUTE  
11 DESIGNATION, THEN EVERYONE GOES AROUND. AND  
12 FINALLY --

13 JIM REDDY: I DON'T HAVE ANY COMMENT  
14 ABOUT GUZZLERS. I DON'T KNOW MUCH ABOUT THEM.

15 ILENE ANDERSON: OKAY. DENNIS.

16 DENNIS CASEBIER: WELL, I BASICALLY  
17 THINK WHAT THEY ARE DOING IS GREAT OUT THERE.  
18 IN LOOKING AT WHAT WE HAVE ON THE PUBLIC  
19 COMMENTS, I DON'T SEE ANY NEED TO MODIFY THAT  
20 VIEW.

21 I THINK GUZZLERS ARE VERY NECESSARY  
22 OUT OUR WAY RIGHT NOW.

23 OF COURSE, SEVERAL OF THESE  
24 ALLOTMENTS HAVE BEEN DEACTIVATED AND THAT'S  
25 BEEN ANOTHER WATER SOURCE THAT HAS BEEN TURNED

1 OFF.

2 AND LIKE SOMEBODY MENTIONED A WHILE  
3 AGO, WILDLIFE ARE DYING OUT THERE.

4 AND SO ANYWAY, I THINK IT'S A GOOD  
5 IDEA.

6 ILENE ANDERSON: MARILYN.

7 MARILYN BEARDSLEE: I ALSO THINK  
8 IT'S AN EXCELLENT IDEA. SORRY.

9 ILENE ANDERSON: ROY.

10 ROY DENNER: I WANT TO COMPLIMENT  
11 RANDY ON WHAT HE SHOWED US OUT IN THE DESERT.  
12 I THINK EVERY SINGLE THING HE IS DOING THERE  
13 IS EXACTLY RIGHT. I CAN'T THINK OF ONE REASON  
14 I WOULD SAY YOU SHOULD DO SOMETHING DIFFERENT.  
15 KEEP UP THE GOOD WORK.

16 BILL BETTERLY: I CONCUR WITH ROY.  
17 BUT WE ARE ONLY TALKING ABOUT IMPERIAL VALLEY  
18 HERE?

19 ILENE ANDERSON: IMPERIAL AND  
20 RIVERSIDE, I BELIEVE, IS WHERE THEY ARE  
21 LOCATED AT. I DON'T THINK ANY OF THEM ARE UP  
22 IN THE SAN BERNARDINO COUNTY.

23 BILL BETTERLY: WE HAVE GUZZLERS UP  
24 THERE. BUT SOME OF THESE AREAS SUCH AS THE  
25 PARK SERVICE, I AM NOT TOO SURE THAT WE SHOULD

1       GET SOME TYPE OF A MEMO OFF TO THE PARK  
2       SERVICE FOR WHERE THEY HAVE SHUT ALL THE WATER  
3       OFF FOR THE WILDLIFE.  SINCE THERE'S NO CATTLE  
4       IN THERE ANYMORE, BUT THE WILDLIFE REMAINS.

5                SO I THINK WE SHOULD CALL THEIR  
6       ATTENTION TO THAT AND SUPPORT WALLY AND  
7       RANDY'S METHOD OF PUTTING IN THOSE WATER  
8       SOURCES.  I THINK THEY ARE REALLY CRITICAL FOR  
9       THE WILDLIFE ASPECT ALONE.

10               ILENE ANDERSON:  WELL, MY COMMENTS  
11       ON THEM IS -- AND I HAVE TALKED TO RANDY ABOUT  
12       THIS -- AND I CERTAINLY SEE GREAT LOGIC IN  
13       WHAT HE HAS PROPOSED.

14               MY CONCERN IS, THOUGH, THAT THE NECO  
15       DOCUMENT HAS NOT, IN MY OPINION, FULLY  
16       ANALYZED THE EFFECT THAT THOSE WATERERS WILL  
17       HAVE ON THE VEGETATION.

18               AND ALTHOUGH I SUPPORT WILDLIFE, NO  
19       QUESTION ABOUT IT, MY CONCERN IS HOW THOSE  
20       ADDITIONAL WATERERS ARE GOING TO AFFECT THE  
21       VEGETATION FROM THE ANIMALS COMING INTO THAT  
22       AREA TO GET TO THE WATER AND THEN DO THEIR  
23       SUBSEQUENT GRAZING AND BROWSING IN THAT AREA.

24               I WOULD LIKE TO SEE JUST THE  
25       DOCUMENT DO AN ANALYSIS OF THAT.  BECAUSE I

1       DON'T REALLY FEEL LIKE I CAN COMMENT ON IT ONE  
2       WAY OR ANOTHER, BECAUSE I DON'T HAVE ENOUGH  
3       INFORMATION TO MAKE THOSE COMMENTS.

4               SO ALTHOUGH I SUPPORT THEM IN  
5       CONCEPT, I WOULD LIKE TO SEE A BETTER ANALYSIS  
6       IN THE NECO DOCUMENT.

7               WALLY LEIMGRUBER:   WALLY LEIMGRUBER,  
8       COUNTY SUPERVISOR.

9               YESTERDAY WE WERE PROVIDED AN ALBUM  
10       OF PICTURES.   AND THOSE PICTURES ARE TRULY  
11       WORTH MANY, MANY WORDS.

12              I HIGHLY SUPPORT THESE GUZZLERS IN  
13       OUR ARID REGION.   THEY HAVE BEEN MOST  
14       BENEFICIAL.   AND I WILL CONTINUE TO SUPPORT  
15       THEM.

16              RANDY RISTER:   I THINK POSSIBLY  
17       FURTHER RESEARCH OR STUDY BY THE EL CENTRO  
18       OFFICE THROUGH POSSIBLY HAVING LIGHTS.  
19       POSSIBLY CONTINUING THAT ON TO OTHER GUZZLERS.  
20       GATHER OTHER INFORMATION.

21              WE CURRENTLY HAVE A GRASS ROOTS OUT  
22       OF THE UNIVERSITY OF TUCSON DOING A FIVE-YEAR  
23       STUDY WITH 28 COLLARED DEER ASSOCIATED WITH  
24       THREE WATER SOURCES AROUND THE CARGO MUCHACOS.  
25       AND ON THE EAST SIDE OF THE IMPERIAL PROJECT



1       GOLDMINE THEY WERE TRYING TO DO A STUDY PRIOR  
2       TO THE MINE GOING IN.

3               POSSIBLY THAT INFORMATION COULD BE  
4       MADE AVAILABLE AND ANYTHING ADDITIONAL THAT  
5       WOULD BE NECESSARY MAYBE DAC CAN PUT THAT  
6       TOGETHER.

7               I DON'T THINK IT WOULD COST NEAR THE  
8       \$50,000 WE WERE TALKING ABOUT TODAY ON THE  
9       GRAZING. BUT JUST AUGMENT WHAT'S BEEN DONE, I  
10      THINK, WITH THAT TYPE OF INPUT.

11              WE DO HAVE AREAS THAT WERE STUDIED  
12      UP TO THREE TO FOUR YEARS BEFORE THE WATER  
13      SOURCES WENT IN AND SOME OF THOSE WATER  
14      SOURCES ARE NOW THREE OR FOUR YEARS OLD, SO WE  
15      HAVE SOME BEFORE AND AFTER AND LOOKING AT  
16      THAT.

17              SO I THINK IN CONCLUDING I WOULD  
18      JUST SAY WATER GOOD, MORTALITY BAD.

19              ISABELLA BURNS: I WOULD CERTAINLY  
20      AGREE WITH THAT. THE FIRST TIME I SAW A WATER  
21      GUZZLER SEVERAL YEARS AGO I THOUGHT THEY WERE  
22      JUST TERRIFIC FOR WILDLIFE. AND THEN I HEARD  
23      THEY WERE PUTTING IN SO MANY OF THEM.

24              SO I WAS CERTAINLY HAPPY TO HEAR THE  
25      REASON WHY THEY WERE ADDING SO MANY GUZZLERS.

1 BECAUSE I UNDERSTAND NOW THAT IT IS FOR THE  
2 WILDLIFE TO HAVE SOME RANGE AND CERTAINLY  
3 THINK THEY ARE DOING A GREAT JOB.

4 JON MCQUISTON: JON MCQUISTON.

5 I WOULD LIKE TO SAY THAT I SUPPORT  
6 THE USE OF GUZZLERS. I THINK THEY ARE A  
7 TREMENDOUS RESOURCE IN OVERALL MANAGEMENT.

8 AND I DON'T DISAGREE WITH IF SOME  
9 SORT OF ADDITIONAL STUDY NEEDS TO BE DONE, BUT  
10 I THINK WE HAVE ENOUGH HISTORY, ENOUGH USE FOR  
11 THEIR BENEFIT THAT WE KNOW IT FAR OUTWEIGHS  
12 ANY DETRIMENT THAT MAY OCCUR AT LEAST IN THE  
13 SHORT TERM. AND IF THERE IS FURTHER STUDIES  
14 THAT NEED TO BE DONE, PURSUE IT. BUT I SUPPORT  
15 IT.

16 RON KEMPER: RON KEMPER, RENEWABLE  
17 RESOURCES.

18 I WOULD LIKE EVERYBODY TO THINK A  
19 LITTLE BIT FURTHER BACK 250, 300 YEARS AGO.  
20 WE DIDN'T HAVE THE POPULATIONS THAT WE HAVE  
21 HERE TODAY. WE DIDN'T HAVE THE CAMPING AND  
22 THE DEVELOPING OF WATER WITHIN OUR  
23 COMMUNITIES. WHERE PEOPLE SETTLED FIRST WAS  
24 WHERE THERE WAS WATER AND THEY RAN THE  
25 WILDLIFE OFF THAT WATER.

1 I THINK WE HAVE TAKEN THE TESTIMONY  
2 WHERE PATTON HAD DESTROYED 138 NATURAL  
3 OCCURRING WATER SOURCES IN THE AREA. AND  
4 PROBABLY CAUSED A HUGE DIE-OFF OF WILDLIFE.  
5 AND NOW WE ARE JUST SEEING THAT RECUR.

6 I, TOO, WILL ALWAYS SUPPORT GOOD  
7 SCIENCE AND CONTINUING SCIENCE. BUT  
8 UNFORTUNATELY IN THIS SITUATION IF YOU GO JUST  
9 A COUPLE OF WEEKS WITHOUT WATER, A WEEK OR  
10 MAYBE EVEN LESS IN THE MIDDLE OF SUMMER YOU  
11 ARE GOING TO LOSE A LOT OF WILDLIFE.

12 SO I THINK YOU HAVE TO IMPLEMENT IT,  
13 MOVE FORWARD, CONTINUE YOUR STUDIES, AND IF  
14 YOU RECOGNIZE A PROBLEM A LITTLE FURTHER DOWN  
15 THE ROAD YOU MAKE SOME ADJUSTMENTS.

16 SHERI DAVIS: SHERI DAVIS,  
17 PUBLIC-AT-LARGE.

18 AND I ABSOLUTELY AGREE WITH  
19 EVERYTHING THAT HAS BEEN SAID HERE, BUT I ALSO  
20 WANT TO SAY THAT I SUPPORT GUZZLERS IN THE  
21 WILDERNESS AREA. BECAUSE PART OF THE WONDER  
22 OF THE WILDERNESS AREA IS ITS BEAUTY. AND  
23 WHEN I HEAR THAT ANIMALS ARE DYING OFF THERE  
24 BECAUSE OF THE LACK OF WATER, I THINK THAT WE  
25 NEED TO LOOK AT THAT.

1                   AND THAT MY OTHER THING IS I WOULD  
2           LOVE TO SEE THE SAME PROGRAM IMPLEMENTED IN  
3           SAN BERNARDINO COUNTY, AS WELL AS IMPERIAL AND  
4           RIVERSIDE.

5                   BOB ELLIS: BOB ELLIS, ENVIRONMENTAL  
6           PROTECTION.

7                   I CERTAINLY WILL BE IN THE MINORITY  
8           IN MY POSITION ON THIS. BUT I WOULD SPLIT THE  
9           SITUATION INTO THE TWO DIFFERENT SITUATIONS.

10                   ONE IS GUZZLERS IN THE WILDERNESS.

11                   THE WILDERNESS ACT DOES HAVE SOME  
12           PROVISION -- AND I AM TALKING ABOUT THE 1964  
13           WILDERNESS ACT -- ABOUT MANMADE DEVICES IN  
14           THERE.

15                   BASICALLY WHAT IT SAYS IS THAT MAN  
16           IS A VISITOR AND SHALL NOT REMAIN. AND THAT'S  
17           BEEN CONSTRUED TO MEAN PRETTY MUCH ANY SORT OF  
18           HUMAN-CONSTRUCTED DEVICE WITHIN DESIGNATED  
19           WILDERNESS AREAS.

20                   IN THE CALIFORNIA DESERT ACT IN 1994  
21           THERE WAS LANGUAGE PUT IN TO ALLOW MECHANIZED  
22           ACCESS AS EXACTLY RANDY SAID EARLIER TO  
23           EXISTING GUZZLERS.

24                   SO THERE HAS -- THIS ISSUE HASN'T  
25           REALLY BEEN ARGUED OUT TOO WELL ACROSS THE

1 DESERT IN OUR WILDERNESS AREAS IN THIS STATE.

2 I THINK THERE IS A CERTAIN AMOUNT OF  
3 SUPPORT FOR MAINTAINING EXISTING GUZZLERS IN  
4 WILDERNESSES.

5 I THINK IN SOME OF THE NATIONAL  
6 PARKS THERE IS SOME GUZZLERS THAT HAVE BEEN  
7 ALLOWED TO BE MAINTAINED IN WILDERNESS AREAS.

8 BUT THERE HAS NOT BEEN REALLY LET'S  
9 SAY AN OPEN-ARMS POLICY TO PUT NEW GUZZLERS IN  
10 EXISTING WILDERNESSES.

11 SO I THINK I AM PERSONALLY NOT IN  
12 FAVOR OF THAT. AND, ON THE OTHER HAND, I  
13 SUPPORT STUDIES TO FIND MORE INFORMATION ABOUT  
14 IT.

15 I WAS HIKING ON TOP OF THE OROCOPIA  
16 MOUNTAINS A FEW MONTHS AGO AND I RAN INTO SOME  
17 GUY THAT TURNS OUT HE IS A GRAD STUDENT IN  
18 U.C. BERKELEY STUDING SHEEP.

19 AND SO I KNOW THAT THERE HAS BEEN 20  
20 YEARS OF STUDY OF GUZZLERS AND BIGHORN SHEEP.  
21 I DON'T -- I DON'T KNOW WHAT THE -- I HAVEN'T  
22 SEEN A LOT OF RESEARCH.

23 BUT I AM JUST REACTING FROM A  
24 WILDERNESS ADVOCATE AGAINST MORE HUMAN  
25 INTRUSION IN WILDERNESSES. SO I AM DEFINITELY

1       AGAINST THOSE GUZZLERS.

2                   NOW, THE GUZZLERS OUTSIDE THE  
3       WILDERNESS PROPOSED IN THE NECO PLAN, I WOULD  
4       BE -- I AM DEFINITELY AGAINST A BLANKET  
5       PERMISSION TO GRANT GUZZLER -- GUZZLERS ACROSS  
6       THAT BIG AREA OF THE MILPITAS WASH AND  
7       CHUCKWALLA BENCH.

8                   I WOULD RATHER SEE IT BE DONE IN THE  
9       WAY THAT IT DOES CURRENTLY, WHICH IS TO HAVE  
10      AN EA ON EXISTING SMALL GUZZLER PROPOSALS AND  
11      LOOK AT THE IMPACTS ONE AT A TIME AS THEY ARE  
12      PUT IN.   AND TO ME THE CURRENT POLICY IS JUST  
13      FINE FOR THAT.

14                  SO I AM AGAINST BLANKET APPROVAL IN  
15      THE LARGER PLAN.

16                  ILENE ANDERSON:   OKAY.   ANY  
17      ADDITIONAL COMMENTS ON THAT ISSUE?

18                  WELL, I ACTUALLY HAVE ONE.   AND THAT  
19      IS MY OTHER CONCERN STEMS FROM THE FACT THAT  
20      WITH THESE GUZZLERS -- WITH MORE GUZZLERS IN  
21      PLACE, THERE IS THE POTENTIAL FOR BURROS TO  
22      SPREAD THROUGH A LARGER AREA OF THE DESERT IN  
23      THE SUMMER.

24                  AND I KNOW WE TALKED ABOUT FENCING.  
25      BUT I THINK THAT THERE SHOULD BE -- I DON'T

1 RECALL THAT THAT ISSUE ALSO WAS ADDRESSED IN  
2 THE NECO PLAN, AND I THINK THAT THAT'S  
3 SOMETHING THAT NEEDS TO BE RECOGNIZED AS AN  
4 ISSUE TO BE ADDRESSED AND TO BE MONITORED AND  
5 TO BE DEALT WITH AS SOON AS THE FIRST SIGNS OF  
6 THAT OCCUR.

7 RANDY RISTER: I BELIEVE THAT IT WAS  
8 ADDRESSED IN NECO. THE ISSUE IS FENCES ARE  
9 VISIBLE. WE WANT TO MINIMIZE THE VISIBLE  
10 IMPACT ON THE NEW GUZZLERS.

11 IF BURROS SHOW UP WE HAVE AN  
12 EFFECTIVE FENCING THAT'S BEEN PROVEN TO KEEP  
13 THEM THEM OUT, AS I INDICATED, AND WE WILL PUT  
14 FENCES UP, AS WE HAVE IN THE PAST, WHERE  
15 BURROS DO OCCUR WITHIN THEIR EXPANDED  
16 TERRITORY.

17 ADDITIONALLY TO WHAT BOB SAID, I  
18 DON'T THINK THAT THE LOCATIONS WAS TO  
19 STIPULATE A BLANKET TYPE OF ISSUE. WE STILL  
20 INTEND TO DO AN EA FOR CLOSED DRINKERS.

21 THE REASON IS WE HAD TO PICK  
22 POTENTIAL SITES WHERE WATER COULD BE COLLECTED  
23 TO MEET THE CRITERIA OF A WATER SOURCE EVERY  
24 FIVE TO SIX MILES SO THAT THE ANIMALS COULD  
25 SPREAD FOLLOWING THE RAIN PATTERNS OR

1 PREDATORS.

2 BUT STILL THE ARCHEOLOGICAL STUDIES  
3 HAVE TO BE DONE, CULTURAL RESOURCE STUDIES  
4 HAVE TO BE DONE. THE STUDIES ON THE PLANTS  
5 HAVE TO BE DONE FOR EACH SIDE.

6 AS I INDICATED YESTERDAY, FOR ABOUT  
7 EVERY FIVE WATER SOURCES WE APPLY FOR, FOUR  
8 GET TURNED DOWN, ONE GETS APPROVED. SO MANY  
9 OF THOSE SITES PROBABLY WON'T BE APPROVED  
10 BECAUSE SOMETHING WILL BE FOUND TO TURN DOWN  
11 THOSE LOCATIONS.

12 BUT WE STILL PLAN TO GO THROUGH THAT  
13 PROCESS WITH THE BLM ON THOSE SITES. BECAUSE  
14 AGAIN, WE DON'T WANT TO IMPOSE ON NECO, WE  
15 JUST WANT TO HELP THE ANIMALS TO SURVIVE  
16 THROUGH THE SUMMERTIME.

17 DENNIS CASEBIER: IS IT IN ORDER FOR  
18 A MOTION? ARE WE GOING TO MAKE MOTIONS?

19 ILENE ANDERSON: I THINK I WOULD  
20 LIKE TO SAVE THAT UNTIL AFTER WE HAVE THE  
21 INPUT FROM THE PUBLIC. AND WE HAVE A HALF  
22 HOUR FOR PUBLIC INPUT WHERE WE CAN -- WHERE  
23 COUNCIL CAN TAKE ACTION ON THESE ISSUES. BY  
24 THEN I HOPE THAT WE WILL HAVE ALL HAD HEARD --

25 BOB ELLIS: WOW; AN EARTHQUAKE.



1 (OFF RECORD.)

2 RON KEMPER: ARE WE BACK ON THE  
3 RECORD?

4 ILENE ANDERSON: YES, WE ARE.

5 RON KEMPER: MADAM CHAIR, I THINK WE  
6 OUGHT TO THINK ABOUT THE REST OF THE PEOPLE  
7 MANAGING THESE BIG GAME GUZZLERS. WE OUGHT TO  
8 THINK ABOUT THEM AS A TOOL IN WHICH THEY  
9 CAN -- YOU KNOW, WE USE FACILITIES LIKE THIS  
10 TO TRAP OUR COWS, TO TRAP BURROS. AND ALL YOU  
11 NEED IS PORTABLE CORRALS IN ORDER TO TRAP.

12 AND THE INTERESTING THING I THINK  
13 ABOUT BURROS USING THESE WATER SOURCES IS THAT  
14 THEY WILL TEND TO MOVE AND THEN STAY. THEY  
15 WILL WANT TO CONTINUE TO USE THAT WATER SOURCE  
16 RATHER THAN GOING BACK POSSIBLY TO THE  
17 COLORADO RIVER OR, YOU KNOW, ANOTHER LARGE  
18 WATER SOURCE.

19 SO YOU MIGHT WANT TO LOOK AT THAT AS  
20 BEING ABLE TO REMOVE ANY BURROS AND HELPING  
21 CONTROL HERD MANAGEMENT.

22 ILENE ANDERSON: MY ISSUE WAS THAT  
23 IN SOME OF THESE AREAS THERE ARE CURRENTLY NO  
24 BURROS. AND MY CONCERN WAS INTRODUCING BURROS  
25 INTO AREAS. INCREASING THEIR RANGE, IF YOU

1 WILL. THAT WAS MY POINT.

2 RON KEMPER: BUT IF YOU USE IT AS A  
3 TRAPPING SITE, YOU HAVE TWO OR THREE BURROS  
4 THAT MOVE IN, YOU HAVE REMOVED THAT OFFENDING  
5 BURRO AND HE HAS -- YOU HAVEN'T REINTRODUCED  
6 HIM BACK INTO THE HERD WHERE HE BROUGHT TWO OR  
7 THREE MORE WITH HIM THE NEXT TIME.

8 ILENE ANDERSON: OKAY. ANY OTHER  
9 COMMENTS ON THIS FROM THE COUNCIL?

10 THEN WE ARE OFF TO THE NEXT ONE,  
11 WHICH IS ROUTE DESIGNATION. AND WE WILL GO IN  
12 THE SAME ORDER.

13 JIM REDDY: JIM READY.

14 I AM SURE THAT YOU ARE GETTING A LOT  
15 MORE DETAIL AS WE MOVE AROUND THE TABLE.  
16 BECAUSE A COUPLE OF -- ACCESS IS EXTREMELY  
17 IMPORTANT TO THE MINING INDUSTRY, IN ADDITION  
18 TO JUST OHV USERS. IF WE CAN'T GET TO A  
19 CLAIM, WE DON'T HAVE ACCESS TO DIFFERENT AREAS  
20 IN THE DESERT AND THE MOUNTAINS, WE DON'T KNOW  
21 IF ANYTHING IS THERE AND WE CAN'T TAKE IT OUT.

22 SO I HAVE EXACTLY THE SAME CONCERNS  
23 FROM THE INDUSTRY STANDPOINT AS EVERYBODY HAS  
24 FROM THE OHV COMMUNITY ABOUT MAINTAINING ALL  
25 ROUTES WHEREVER POSSIBLE.

1                   AND THE ONE THING I WOULD SUGGEST  
2           THAT COULD POSSIBLY BE DONE IN THE FUTURE IS  
3           SOMETHING SIMILAR TO WHAT WE TALKED ABOUT WITH  
4           THE GRAZING.

5                   WHAT WE DON'T HAVE IS GOOD STUDIES  
6           SHOWING WHAT IS -- WE ARE PROTECTING THE  
7           DESERT TORTOISE. WHAT IS THE IMPACT OF  
8           VEHICULAR TRAFFIC ON THE DESERT TORTOISE.

9                   WE OPERATE SOME QUARRIES WITHIN THE  
10          DESERT TORTOISE AREA. WE HAVE ONE PARTICULAR  
11          HAUL THAT GOES TO ONE QUARRY WHICH IS ABOUT  
12          SIX MILES. WE RUN ABOUT 40 85-TON HAUL TRUCKS  
13          EVERY DAY UP AND DOWN THAT ROAD.

14                  IF YOU HAVE NEVER SEEN AN 85-TON  
15          HAUL TRUCK, THE TIRES ARE ABOUT NINE AND A  
16          HALF FEET IN DIAMETER AND THE TREAD IS ABOUT  
17          THREE FEET WIDE. THAT WILL SQUASH A LOT AS IT  
18          GOES DOWN THE ROAD.

19                  I HAVE BEEN PRESIDENT OF THAT  
20          COMPANY FOR TEN YEARS, AND WE HAVEN'T KILLED A  
21          TORTOISE YET.

22                  AND WE HAVE GOT 40 OF THOSE TRUCKS  
23          GOING BACK AND FORTH SIX DAYS A WEEK, PLUS  
24          NUMEROUS OTHER VEHICLES UP AND DOWN THE ROAD.

25                  SO WE HAVE SEEN TORTOISES. I HAVE

1       SEEN TORTOISES OUT IN THE ROAD.

2                   MAYBE OUR TRUCK DRIVERS ARE MORE  
3       SENSITIVE THAN OTHERS, THEY DO STOP. WE  
4       HAVEN'T KILLED A TORTOISE YET.

5                   SO I AM NOT CONVINCED THAT VEHICULAR  
6       TRAFFIC ACTUALLY KILLS TORTOISES.

7                   WHAT I WOULD LIKE TO SEE IS STUDIES  
8       LIKE THE THING THAT WE TALKED ABOUT FOR THE  
9       TRT WHERE WE LOOK AT IT WITH AND WITHOUT  
10      VEHICLES, WHAT'S THE DIFFERENCE, WHAT IMPACT  
11      DOES IT HAVE ON TORTOISES.

12                  AND IF WE FIND THAT IT IS A BIG  
13      IMPACT, OKAY. THE DECISION -- TEMPORARY  
14      DECISION -- AND I WOULD LIKE TO EMPHASIZE  
15      "TEMPORARY DECISION" WE'VE MADE SO FAR TO  
16      CLOSE THE ROADS IS GOOD.

17                  IF WE FIND THERE IS NO DIFFERENCE,  
18      WELL, THAT MEANS THAT THE DECISION WAS NOT  
19      NECESSARY AND THOSE ROADS THAT HAD BEEN CLOSED  
20      CAN NOW BE REOPENED.

21                  THAT'S ALL.

22                  ILENE ANDERSON: DENNIS.

23                  DENNIS CASEBIER: YEAH, DENNIS  
24      CASEBIER.

25                  WE LOST THOUSANDS OF MILES OF BACK-

1 COUNTRY ROAD WITH THE PASSAGE OF THE  
2 CALIFORNIA DESERT PROTECTION ACT. TENS OF  
3 THOUSANDS, AND A LOT SINCE THEN.

4 SO I AM PERSONALLY IN SUPPORT OF  
5 LEAVING ALL EXISTING ROADS OPEN.

6 AND I THINK THAT I SEE OVERWHELMING  
7 SUPPORT FOR THAT POSITION ON THE PART OF THE  
8 VAST MAJORITY OF THE INFORMED GENERAL PUBLIC  
9 THAT I REPRESENT.

10 THAT'S MY POSITION.

11 ILENE ANDERSON: MARILYN.

12 MARILYN BEARDSLEE: AS A  
13 TRANSPORTATION PLANNER I GUESS ONE OF MY MAIN  
14 CONCERNS IS SAFETY OF THE TRAVELERS ON OUR  
15 ROADS.

16 AND IF WE ARE CONTINUING TO CLOSE  
17 BACKCOUNTRY ROADS, OFF-HIGHWAY ROADS, WHAT WE  
18 ARE ALSO DOING IS CREATING A SAFETY ISSUE ON  
19 THE STATE ROUTES.

20 SO I AM VERY CONCERNED ABOUT THAT.  
21 I WOULD HOPE THAT WE WOULD CONTINUE TO CLOSE  
22 AS FEW ROADS AS POSSIBLE.

23 ROY DENNER: MADAM CHAIR, I WOULD  
24 LIKE CLARIFICATION ABOUT THE AGENDA BEFORE I  
25 COMMENT ON ROUTES.

1                   MAYBE I HAVE GOT AN OLD AGENDA OR  
2                   SOMETHING, BUT I DON'T SEE WHERE IT SAYS WE  
3                   ARE ADDRESSING THESE THREE SPECIFIC ISSUES.  
4                   GUZZLERS -- YES?

5                   ILENE ANDERSON: NO, IT ISN'T ON THE  
6                   AGENDA. BUT THE BLM MADE THEIR PRESENTATION  
7                   ON THE ISSUES THAT THEY WANTED THE COUNCIL TO  
8                   GIVE THEM INPUT ON AND PROVIDE RECOMMENDATIONS  
9                   AND GUIDANCE ON HOW TO DEAL WITH THE PUBLIC  
10                  COMMENT RESPONSES.

11                  ROY DENNER: DOES THAT MEAN THAT WE  
12                  ARE LIMITED TO INPUT ON THOSE THREE ISSUES OR  
13                  WILL WE HAVE AN OPPORTUNITY FOR INPUT FROM  
14                  OTHER CONCERNS ABOUT THE NEMO AND THE NECO  
15                  PLANS?

16                  ILENE ANDERSON: THOSE ARE THE THREE  
17                  ISSUES THAT WE ARE DEALING WITH NOW. THAT'S  
18                  WHAT THEY HAVE ASKED US FOR GUIDANCE ON.

19                  ROY DENNER: MY AGENDA SAYS THAT  
20                  THERE ARE QUESTIONS -- A QUESTION AND ANSWER  
21                  PERIOD BY DAC COUNCIL MEMBERS FOLLOWING THE  
22                  DISCUSSION AND THE PRESENTATIONS ON THE NEMO  
23                  AND NECO PLAN. IT DOESN'T SAY THAT WE ARE  
24                  LIMITED TO THREE CATEGORIES OF INPUT.

25                  TIM SALT: ROY, AS I SAID WHEN WE

1 CAME BACK FROM LUNCH, THESE ARE THE THREE  
2 AREAS THAT WERE THE PRIMARY ISSUES. AND WHEN  
3 WE FINISH WITH THESE, YOU KNOW, I WOULD  
4 CERTAINLY BE OPEN TO ANY ADDITIONAL INPUT FROM  
5 THE COUNCIL ON ANY OTHER ISSUES.

6 ROY DENNER: I WILL ACCEPT THAT,  
7 BECAUSE I HAVE A MOTION TO MAKE REGARDING NEMO  
8 AND NECO THAT I GUESS I COULD STRETCH ROUTE  
9 CONSIDERATIONS INTO, BUT I DON'T INTEND TO DO  
10 THAT.

11 I WILL TAKE THE OPPORTUNITY TO MAKE  
12 MY MOTION AFTER WE ADDRESS THESE THREE  
13 SPECIFIC ISSUES.

14 I HEAR YOU SAY THAT I WILL HAVE THAT  
15 OPPORTUNITY.

16 RELATIVE TO ROUTES, AT LEAST TWO BLM  
17 PRESENTERS TODAY HAVE SAID THAT THERE ARE NO  
18 NEW ROUTE CLOSURES. THAT THE CLOSURES OF  
19 ROUTES ARE THE SAME CLOSURES THAT RESULTED  
20 FROM THE WILDERNESS AREA CLOSURES.

21 I WOULD LIKE TO REFER YOU TO THE  
22 NECO PLAN, CHAPTER 4, PAGE 77, AND I QUOTE  
23 FROM HERE.

24 "CONTRIBUTING TO THE PUBLIC'S  
25 POSSIBLE UNWILLINGNESS TO ACCEPT LESS THAN

1 WELL SUBSTANTIATED RATIONALE FOR ACCESS  
2 LIMITATIONS IS THE NECO PLAN'S OCCURRENCE ON  
3 THE TAILS OF THE CALIFORNIA DESERT PROTECTION  
4 ACT OF 1994 WHICH PROHIBITED CASUAL MOTORIZED  
5 VEHICLE ACCESS ON AT LEAST 669 MILES OF ROUTES  
6 NOW IN DESIGNATED WILDERNESS AREAS.

7 UNDER THE NECO PLAN/EIS ADDITIONAL  
8 ROUTES WILL BE CLOSED FOR BIOLOGICAL  
9 CONSIDERATIONS TO PROTECT OTHER RESOURCE  
10 VALUES, TO PROMOTE SAFETY FOR USERS, TO  
11 MINIMIZE CONFLICTS AMONG USERS AND BECAUSE OF  
12 IDENTIFICATION AS NONROUTES PER TABLE 2-13.

13 WHEN THESE NEW CLOSURES ARE ADDED TO  
14 THE 669 MILES CLOSED IN 1994, THERE WILL BE  
15 ALMOST 1,200 MILES OF ONCE-AVAILABLE TRAILS  
16 WITHIN THE NECO PLANNING AREA THAT WILL BE  
17 CLOSED TO MOTORIZED RECREATION."

18 THAT'S A QUOTE.

19 BILL BETTERLY: MADAM CHAIR, BILL  
20 BETTERLY REPRESENTING THE PUBLIC-AT-LARGE.

21 AND I CAN TELL YOU THAT THE PUBLIC-  
22 AT-LARGE DOES NOT WANT TO SEE ANY MORE ROAD  
23 CLOSURES WHATSOEVER.

24 (AUDIENCE APPLAUSE.)

25 THEY FEEL THERE HAS BEEN ENOUGH



1 CLOSURES AND THEY DON'T WANT TO SEE ANY MORE.

2 ILENE ANDERSON: I SUPPORT ROUTE  
3 DESIGNATION AND SUPPORT THE NECO PLAN WITH  
4 REGARDS TO THAT.

5 IN ADDITION TO THAT, I AM CONCERNED  
6 ABOUT THE SPREAD OF EXOTIC SPECIES INTO THE  
7 LANDSCAPE. AND THAT SORT OF THING HAS BEEN  
8 DOCUMENTED TO OCCUR BECAUSE OF VEHICLE USE.

9 SO THAT'S ONE OF MY REASONS TO  
10 SUPPORT ROUTE DESIGNATION.

11 ADDITIONALLY, I SUPPORT THE CLOSURE  
12 OF SOME OF THE DUNES AND PRIOR AREAS BECAUSE  
13 OF THE UNIQUENESS OF THE VEGETATION TYPE.

14 WITHIN THE NECO PLANNING AREA THOSE  
15 TYPES OF DUNES AND PRIOR AREAS PROPOSED TO BE  
16 CLOSED ONLY REPRESENT .003 PERCENT OF THE  
17 PLANNING AREA.

18 IT'S A UNIQUE VEGETATION TYPE AND  
19 HABITAT TYPE AND I THINK IT DESERVES  
20 RECOGNITION TO PRESERVE BY ADVERSITY AND THE  
21 HEALTH OF THE LAND.

22 WALLY LEIMGRUBER: WALLY LEIMGRUBER,  
23 ELECTED OFFICIAL.

24 IN IMPERIAL COUNTY OBVIOUSLY  
25 DISTRICT FIVE HAS THE LARGEST AREA IN THIS

1 COUNTY.

2 WE HAVE HAD NUMEROUS ROADS  
3 ESTABLISHED OVER THE YEARS SINCE THIS VALLEY  
4 WAS SETTLED.

5 AROUND THE TURN OF THE CENTURY THERE  
6 WAS SOME ACTIVITY OUT IN THIS CHOCOLATE  
7 MOUNTAIN AREA, ABOUT 1850.

8 SOME OF THESE PRIMITIVE ROADS WERE  
9 PUT IN PLACE TO EITHER BRING WATER INTO THEM.  
10 PEOPLE WERE DOING DIFFERENT ACTIVITIES IN THAT  
11 REGION.

12 THERE HAS BECOME A USE FOR THESE  
13 ROADS PRIMARILY FOR PUBLIC SAFETY.

14 WE ARE NEXT TO THE MEXICO BORDER.  
15 MANY UNDOCUMENTED IMMIGRANTS PASS THROUGH  
16 HERE. AND THIS PAST SUMMER IN ARIZONA A LARGE  
17 NUMBER OF UNDOCUMENTED IMMIGRANTS LOST THEIR  
18 LIVES.

19 THESE ROADS ARE SERVICING OUR NEEDS  
20 TO QUICKLY RESPOND TO GO OUT INTO AREAS AND  
21 BRING THESE INDIVIDUALS WHO -- AS FAR AS THE  
22 COUNT IN OUR COUNTY THIS YEAR WE HAVE HAD OVER  
23 50 DEATHS ATTRIBUTED TO UNDOCUMENTED  
24 IMMIGRANTS ENTERING INTO OUR COUNTY. AND ONLY  
25 GOD KNOWS WHAT'S REMAINING OUT IN THERE.

1 I STRONGLY OPPOSE CLOSING OF ROADS.  
2 I FEEL THESE ROADS SHOULD BE OPENED. THEY  
3 SHOULD BE MADE AVAILABLE TO THE PUBLIC.

4 WE CAN MANAGE THESE ROADS. THERE IS  
5 NOT A PROBLEM WITH DOING THAT. BUT WHEN WE  
6 BEGIN TO CLOSE OFF THESE AREAS, WE BEGIN TO  
7 CONTINUE TO HAVE IMPACTS THAT WILL IMPACT A  
8 MAJOR PORTION OF OUR OTHER AREAS THAT PEOPLE  
9 ARE FORCED TO GO INTO.

10 SO I AM IN FAVOR OF KEEPING OUR  
11 ROADS OPEN.

12 (AUDIENCE APPLAUSE.)

13 RANDY RISTER: I THINK IN REGARDS TO  
14 WILDLIFE ISSUES, WE HAVE BECOME SOMEWHAT  
15 ATTUNED IN THE PERMITTING PROCESS TO THE LONG  
16 HISTORY OF USE OF THE DESERT BY NATIVE  
17 AMERICANS, BY MINERS, BY GENERAL PATTON IN THE  
18 PAST, AND BY CURRENT USERS; ROCKHOUNDERS,  
19 PICNICKERS, PHOTOGRAPHERS, HIKERS, HUNTERS,  
20 OHV PEOPLE.

21 AND WITH THE EXCEPTION OF FINDING  
22 RESOURCES THAT ARE TRULY DESIGNATED BY ACCESS,  
23 WE IN SOME CASES AGREE WITH ROUTE CLOSURES,  
24 ESPECIALLY THINGS LIKE SEASONAL ROUTE CLOSURES  
25 THAT WE HAVE SUPPORTED IN THE BIGHORN SHEEP

1 LAND AREAS DURING THE SEASONS THAT THE LAMBS  
2 ARE DROPPING, THOSE TYPE OF ISSUES. OR  
3 NESTING SITES FOR RAPTORS OR ROOSTING SITES IN  
4 OLD MINE SHAFTS FOR ENDANGERED SPECIES OF  
5 BATS.

6 SO RECOGNIZING THERE ARE SOMETIMES  
7 NEEDS TO EITHER TEMPORARY CLOSE ROUTES OR KEEP  
8 ROUTES AT A CERTAIN DISTANCE FROM CERTAIN  
9 AREAS, MOST OF THE DRIVING THAT OCCURS OUT  
10 THERE IS OF A RECREATIONAL TYPE USAGE.

11 I DON'T FEEL -- AND I TRIED TO SHOW  
12 THAT ON THE TOUR YESTERDAY -- IT DOESN'T SEEM  
13 TO BE DESTROYING PLANT LIFE, IT DOESN'T SEEM  
14 TO BE DESTROYING ANY HABITAT OR LEAVING TRACKS  
15 IN ANY HABITAT THAT THE NEXT RAINSTORM ISN'T  
16 GOING TO TOTALLY ERASE, ANYWAY.

17 THOSE BIG WASHES ARE SCARIFIED OF  
18 ALL PLANT LIFE AND ALL TRACKS ANY TIME THERE'S  
19 A MAJOR STORM EVENT.

20 SO WHAT WE HAVE TRIED TO LOOK AT IN  
21 THE NECO AREA, ESPECIALLY IN DRIVING THE  
22 WASHES AND DRIVING THE EXISTING ROADS, IS THAT  
23 IF THOSE ROUTES ARE CONTINUED TO BE USED, THEN  
24 POSSIBLY THERE WON'T BE A NEED TO PROLIFERATE  
25 NEW ROADS.

1                   WE'VE MAINTAINED FOR SOME TIME OUR  
2       ACCESS TO RS2477 ROUTES, TO POWERLINE ROUTES,  
3       TO UTILITY CORRIDOR ROUTES, TO SOME OF THE  
4       JEEP TRACKS AND TWO AND A HALF TON TRACKS THAT  
5       WERE PUT IN BY THE MILITARY IN THE TRAINING OF  
6       WORLD WAR II.

7                   BUT I THINK THAT AS THE IMPACT OF  
8       CLOSURES THROUGHOUT SOUTHERN CALIFORNIA IS  
9       FELT MORE AND MORE IN OTHER COMMUNITIES, AND  
10      AS CITIES TEND TO GROW AND AS THE DESERT IS  
11      DEVELOPED IN EITHER URBAN SITES OR FARMING  
12      SITES OR WHATEVER OCCURS OUT THERE, I THINK  
13      THERE IS GOING TO BE A GREATER NEED PUT ON  
14      CERTAIN AREAS WHERE PEOPLE CAN ACTUALLY STILL  
15      COME OUT AND RECREATE.

16                  SO I THINK IF IT'S NOT HURTING  
17      ANYTHING AND IF THE STUDIES SHOW THAT  
18      CONTINUED USE IS NOT DETRIMENTAL TO AN  
19      INDIVIDUAL SPECIES, I THINK THAT THOSE ROUTES  
20      SHOULD REMAIN OPEN.

21                  SO MY FEELINGS ARE ACCESS GOOD,  
22      CLOSURES BAD.

23                  (AUDIENCE APPLAUSE.)

24                  ISABELLA BURNS: I WILL CERTAINLY  
25      SECOND THAT.

1 I THINK IF I DIDN'T AGREE WITH THE  
2 FACT THAT WE SHOULD NOT BE CLOSING ROADS, I  
3 COULD NEVER GO AROUND WITH ANY OF MY  
4 RECREATION PEOPLE IN THEIR FIELD OF  
5 ROCKHOOUNDING, BECAUSE THIS IS ONE AREA THAT WE  
6 HAVE SUFFERED TREMENDOUSLY.

7 WE SUFFER FROM THE DESERT PROTECTION  
8 ACT, BOTH BY LOSING AREAS WHERE WE COULD  
9 COLLECT AND BY LOSING ROADS.

10 MANY OF THE MEMBERS OF OUR SOCIETY  
11 ARE OLDER. SOME PEOPLE THAT ARE 90 OR 96  
12 YEARS OF AGE TRAVELED ON A FIELD TRIP WITH US  
13 RECENTLY. AND ROAD CLOSURES WOULD ABSOLUTELY  
14 RUIN THAT FOR THEM, BECAUSE THEY CANNOT WALK  
15 GREAT DISTANCES.

16 SOME PEOPLE CAN HIKE INTO AREAS. WE  
17 USED TO DO A LOT MORE HIKING THAN WE DO NOW  
18 OURSELVES. AND IT IS REALLY SOMETHING THAT WE  
19 NEED DESPERATELY, TO KEEP THE ROADS OPEN FOR  
20 OUR PEOPLE TO GET IN TO ROCK COLLECTING AREAS.

21 RECENTLY I WALKED INTO A SHOW AND  
22 THEY HEARD SOMETHING WAS GOING TO BE CLOSED.  
23 AND IMMEDIATELY THEY CAME RUNNING TO ME TO SAY  
24 THEY ARE CLOSING SOME OF OUR ROADS OUT HERE.

25 AND THIS IS SOMETHING THAT HAS BEEN

1 A HOBBY IN THE FAMILY. IT'S A FAMILY HOBBY.

2 ALSO WE HAVE OUR GREAT GRANDCHILDREN  
3 THAT GO OUT WITH US. WE CERTAINLY COULDN'T  
4 HAVE THEM WALK SEVERAL MILES INTO AN AREA TO  
5 COLLECT.

6 AND WE DO NEED TO KEEP THE ROADS  
7 OPEN IN ORDER TO HELP US WITH OUR  
8 ROCKHOUNDING.

9 AND IN SOME AREAS IT'S VERY NICE TO  
10 KEEP OUR ROUTES OPEN AS MUCH AS POSSIBLE.

11 YOU HAVE HEARD THIS WEEKEND THAT WE  
12 WERE ABLE TO GET A MEMORANDA OF UNDERSTANDING  
13 WITH THE BLM IN THE EL CENTRO OFFICE AND WERE  
14 ABLE TO KEEP THE HAUSER GEODE BEDS OPEN.

15 THAT'S AN AREA WHERE PEOPLE HAVE  
16 COLLECTED SINCE THE STAGE COACH CAME THROUGH  
17 THERE. THAT'S ACTUALLY FOUNDED AN HISTORICAL  
18 SITE. PEOPLE COME FROM ALL OVER THE UNITED  
19 STATES.

20 I WAS IN BILOXI, MISSISSIPPI THIS  
21 YEAR AND SOMEBODY SAID CAME UP AND SAID YOU  
22 DON'T REMEMBER ME. I FLEW INTO VEGAS AND  
23 RENTED A CAR AND CAME DOWN TO GO TO THE HAUSER  
24 GEODE BEDS WITH YOUR CLUB MANY YEARS AGO.

25 AND THEY STILL REMEMBER GOING THERE

1       AND THEY HAD COME ALL THE WAY FROM MISSISSIPPI  
2       TO GO INTO THE HAUSER GEODE BEDS.

3               IT'S NOT JUST THE PEOPLE IN THE  
4       UNITED STATES THAT COME HERE AND SEE SOME OF  
5       OUR AREAS OF COLLECTION, BUT FROM ALL OVER THE  
6       UNITED STATES.  AND I WOULD REALLY HATE TO SEE  
7       ANY MORE ROADS CLOSED.

8               (AUDIENCE APPLAUSE.)

9               JON MCQUISTON:  WITH RESPECT TO  
10      ROUTE DESIGNATION, IT'S PROBABLY, AT LEAST IN  
11      MY VIEW, NOTHING THAT'S MORE CONVOLUTED RIGHT  
12      NOW IN THE CALIFORNIA DESERT CONSERVATION  
13      AREA.  AND PROBABLY THERE'S NOTHING THAT'S  
14      MORE -- I FEEL MORE COMPASSIONATE ABOUT  
15      PERHAPS THAN SOME OF THE OTHER AREAS.

16              THE COUNTIES THAT MAKE UP THE  
17      CDPA -- FOR THE MOST PART WE ARE TALKING ABOUT  
18      RURAL AREAS.  AND WHAT SEEMS TO GET MISSED  
19      OFTENTIMES IN DISCUSSION IS WHAT MAKES -- WHAT  
20      MAKES A COUNTY OR WHAT MAKES A REGION RURAL IN  
21      NATURE.

22              AND IT'S BECAUSE YOU LIVE OFF OF THE  
23      LAND.  THAT IS THE ECONOMIC ENGINE THAT  
24      SUSTAINS THAT PARTICULAR AREA.

25              WHETHER IT'S RANCHING AND YOU HAVE A



1 ROAD THAT GOES TO A CORRAL OR WHETHER YOU HAVE  
2 A ROAD THAT GOES TO A WATER TROUGH OR WHETHER  
3 IT'S MINING.

4 YOU HAVE WHAT MAY APPEAR TO SOMEBODY  
5 NOT TO BE AN IMPROVED, DEVELOPED ROAD, BUT IT  
6 IS VITALLY IMPORTANT TO THAT PARTICULAR  
7 INTEREST THAT DRIVES THE ECONOMY IN A REGION.

8 WHETHER IT'S GRAZING, WHETHER IT'S  
9 RECREATION. IT MAY BE JUST SIGHT-SEEING OR IT  
10 MAY BE DRIVING TO THE TOP OF A HILL BECAUSE  
11 THERE IS A VEIN OF MATERIAL.

12 BUT THE NET EFFECT OF WHAT A LOT OF  
13 FOLKS THINK ARE JUST UNNECESSARY, UNNEEDED  
14 TRACKS OUT IN THE DESERT, JUST AS THE PAVED  
15 HIGHWAYS ARE THE VEINS AND THE ARTERIES OF A  
16 BODY, THESE ROADS THAT DRIVE OUR LOCAL ECONOMY  
17 IS THE CAPILLARY SYSTEM THAT SUSTAINS AN  
18 ECONOMIC BASE THERE. THEY CARRY ON THE STREAM  
19 OF COMMERCE.

20 AND I DO BELIEVE THAT THERE'S A  
21 PERCEPTION THAT WE SIMPLY HAVE TOO MUCH OF  
22 THESE.

23 AND WHEN YOU LOOK AT THE VARIOUS  
24 PLANNING EFFORTS THAT ARE GOING ON NOW, IF YOU  
25 READ THE VARIOUS PLANS, YOU WILL FIND A

1       RECURRING THEME.  THERE NEEDS TO BE A NEED FOR  
2       CONSISTENCY.

3               BUT BETWEEN THE NECO, THE NEMO AND  
4       THE YET TO BE RESOLVED WEMO YOU WON'T FIND THE  
5       CONSISTENT APPROACH IN HOW WE ARE HANDLING  
6       ROUTE DESIGNATION.  IT SIMPLY ISN'T THERE.  
7       AND IT NEEDS TO BE THERE.

8               I DON'T THINK THAT -- AND I COULD  
9       NEVER RECOMMEND THAT ANY ROUTE DESIGNATION BE  
10      INCORPORATED INTO AN ALTERNATIVE WHEN THERE IS  
11      SO MUCH DISPARITY AND LACK OF CONSISTENCY.

12              I DO BELIEVE THAT THERE IS A  
13      PERCEPTION THERE THAT WE SIMPLY HAVE TOO MANY,  
14      AND WE ARE MANAGING TO THAT ASSUMPTION.

15              WHETHER BY DESIGN OR BY NEGLECT, MY  
16      PERSONAL OPINION -- AND THAT'S ALL I WOULD  
17      EVER SAY ON THIS -- WHETHER IT'S THROUGH  
18      SPECIES PROTECTION OR SETTLEMENT AGREEMENTS,  
19      WE ARE IN FACT HEADED TOWARD A DEFACTO BLM  
20      ROADLESS POLICY.  AND I OPPOSE THAT.

21              AND WITH THAT I HOPE WE DON'T DO  
22      ANYTHING WITH ROADS UNTIL WE HAVE A CONSISTENT  
23      POLICY AND A CONSISTENT PERSPECTIVE ON THAT  
24      AND WE TAKE INTO ACCOUNT THE RELATIONSHIP OF  
25      THOSE PATHWAYS OUT IN THE DESERT AND THE

1       ECONOMY OF THE REGION AND THE IMPACT ON THE  
2       LOCAL ECONOMY.

3               THANK YOU.

4               (AUDIENCE APPLAUSE.)

5               RON KEMPER:  RON KEMPER, RENEWABLE  
6       RESOURCES.

7               I WOULD LIKE TO TALK TO THIS ISSUE  
8       AS A RANCHER.  MAYBE MY RANCH IN PARTICULAR.

9               RIGHT NOW I MAINTAIN ABOUT EIGHT  
10      MILES OF SEMIPAVED ROAD, WHICH WAS ACTUALLY  
11      PUT IN BY A MINER IN THE AREA THAT HASN'T  
12      TAKEN MATERIAL OUT FOR MANY YEARS.

13              AND WHEN IT GETS POTHOLES WE TAKE  
14      OUR TRACTORS UP THERE TO FIX SOME PATCHES AND  
15      DO WHAT'S NECESSARY TO MAKE SURE THAT IT  
16      REMAINS DRIVEABLE.

17              MOST OF OUR ROADS ON THE RANCH THAT  
18      FOLLOW THE PIPELINES AND GO TO THE WATER TANKS  
19      AND GO TO THE CATCH CORRALS ARE NOT IMPROVED  
20      ROADS OR GOOD ROADS.

21              AND I KNOW THAT I HAVE BEEN  
22      APPROACHED TO CONSIDER GATING THOSE APPROACHES  
23      INTO THOSE CORRALS AND THOSE WATER TANKS.

24              AND FROM A RANCHING PERSPECTIVE YOU  
25      CAN SAY, WELL, THAT WOULD CUT DOWN ON THEFT

1       AND THAT WOULD CUT DOWN ON, YOU KNOW, DAMAGE  
2       TO EQUIPMENT.

3               BUT THE REALITY OF IT IS THEY WILL  
4       JUST DRIVE AROUND IT.   HOW MUCH ARE YOU GOING  
5       TO FENCE, HOW MUCH ARE YOU GOING TO GATE OFF.  
6       IF THEY SEE A ROAD DOWN THERE, THEY ARE GOING  
7       TO GET TO IT.

8               SO I AM REALLY OPPOSED TO THE  
9       CLOSURE OF ROADS.

10              HOWEVER, THERE ARE SOME INSTANCES ON  
11      MY RANCH WHERE WE HAVE GOT A ROAD AND COME  
12      HUNTING SEASON OR MAYBE -- AND I AM NOT  
13      AGAINST HUNTERS -- OR MAYBE SOME PEOPLE COMING  
14      OUT THERE SIGHT-SEEING, AND THEY GET TO A  
15      PARTICULARLY ROUGH SPOT, AND THEY ARE DRIVING  
16      THE \$40,000.00 YUKON, AND THEY GO, WELL, YOU  
17      KNOW, IT LOOKS A LITTLE BIT EASIER OVER HERE  
18      OFF TO THE SIDE.

19              AND BECAUSE WE ARE NOT ALLOWED TO  
20      MAINTAIN THOSE DIRT ROADS IN SOME FASHION  
21      OTHER THAN A SHOVEL -- MY OLD RANCH PICKUP  
22      KIND OF RATTLES THROUGH THERE PRETTY GOOD.  
23      BUT THE GUY DRIVING THE \$40,000.00 PICKUP  
24      WOULD JUST AS SOON GET OFF TO THE SIDE AND  
25      MAKE ANOTHER TRACK.

1 I THINK THAT I WOULD LIKE TO SEE  
2 SOME OF THOSE TRACKS RECLAIMED. I WOULDN'T  
3 MIND DOING A LITTLE BIT OF ROAD IMPROVEMENT SO  
4 THAT THOSE ROADS WEREN'T QUITE AS ROUGH, AS  
5 LONG AS THEY LET ME USE MY TRACTOR AND MY DUMP  
6 TRUCK A LITTLE BIT.

7 JUST SOME THOUGHTS TO THINK ABOUT.  
8 WE DO HAVE SOME DUPLICATION OF AREAS WHERE  
9 THEY ARE RIGHT ALONGSIDE EACH OTHER AND I  
10 THINK THEY CAN BE RECLAIMED AND IT WOULDN'T  
11 HURT ANYBODY.

12 SHERI DAVIS: SHERI DAVIS.  
13 SPEAKING ON BEHALF OF THE INDUSTRY  
14 THAT I REPRESENT, WE ARE OPPOSED TO ANY ROAD  
15 CLOSURES.

16 WE NEED THE ROADS THAT THE MINES  
17 NEED. WE NEED THE ROADS IN THE AREAS THAT THE  
18 OHV NEEDS. WE NEED THE ROADS THAT THE  
19 ROCKHOUNDS NEED. IN OTHER WORDS, WE GO EVERY  
20 PLACE YOU ALL GO.

21 AND SO WE ARE CONCERNED ABOUT THE  
22 CLOSURE OF ROADS AND WOULD ENCOURAGE THEM LEFT  
23 OPEN.

24 AND EVEN IF THE ROADS ARE NOT  
25 CURRENTLY BEING USED WHERE THERE IS NOT A LOT

1       OF USE ON THEM, I STILL WOULD ENCOURAGE THEM  
2       TO BE LEFT OPEN, BECAUSE OF JUST A NEED IN THE  
3       FUTURE.  AND IF THEY ARE CLOSED, ONCE THEY ARE  
4       CLOSED THEY WILL PROBABLY ALWAYS REMAIN  
5       CLOSED.

6                       (AUDIENCE APPLAUSE.)

7               BOB ELLIS:  WE HAVE TWO DIFFERENT  
8       PLANS HERE.  AND THEY HAVE -- THE BLM HAS  
9       APPROACHED THEM DIFFERENTLY WITH RESPECT TO  
10      THE ROAD ACCESS PROBLEM.

11               THEY ARE BOTH BEING DRIVEN, OF  
12      COURSE, BY THE TORTOISE RECOVERY PLAN WHICH  
13      BASICALLY SAYS DESIGNATED ROUTES IN DWMAS.  
14      IT'S FAIRLY CLEAR THAT'S THEIR PREFERRED  
15      PRESCRIPTION.

16               FOR THE NECO THEY HAVE GONE AHEAD --  
17      THE BLM HAS GONE AHEAD AND GIVEN US A MAP FOR  
18      A VERY LARGE AREA WITH A LOT OF GREEN LINES ON  
19      IT AND A VERY SMALL NUMBER IN RELATIVE PERCENT  
20      TO THOSE LEFT OPEN.  THEY HAVE MADE WHAT THEY  
21      WANT TO BE PERMANENT DESIGNATED OPEN ROADS.

22               WE HAVEN'T BEEN GIVEN VERY MUCH OF A  
23      CRITERIA WITH RESPECT TO EACH ONE OF THOSE  
24      SEGMENTS OF OPEN ROADS OR EVEN THE PROPOSED  
25      CLOSED ROADS AS TO WHY THE CHOICE WAS MADE ONE

1 WAY OR ANOTHER FOR KEEPING THEM OPEN OR  
2 PROPOSING THEM CLOSED.

3 I HAVE SEEN SOME OF THE WORK THEY  
4 HAVE DONE ON SOME OF THE AREAS IN THE WEST  
5 MOHAVE WHERE A LARGE AREA WITH QUITE A NUMBER  
6 OF ROADS HAS BEEN SURVEYED.

7 THERE HAS BEEN A PARAGRAPH WRITTEN  
8 ON EACH ROUTE SEGMENT AND IT SAYS WHAT THE  
9 RESOURCE VALUE IS THERE, WHAT'S THE PURPOSE OF  
10 THE ROAD. IS IT GOING INTO ROCKHOUND. IS IT  
11 GOING INTO A MINING AREA. IS IT A GRAZING  
12 AREA. IS IT AN ACCESS TO PUBLIC LAND. OR IS  
13 IT GOING BY SENSITIVE SPECIES OR THROUGH A  
14 HIGH TORTOISE AREA.

15 AND SO THAT GIVES YOU THE PUBLIC A  
16 LOT OF INFORMATION. AND IN THESE AREAS WHERE  
17 THERE ARE PLANTS AND THERE ARE ANIMALS WHICH  
18 ARE AT RISK, THAT'S THE KIND OF INFORMATION  
19 THAT WE NEED TO BE ABLE TO MAKE THE DECISIONS  
20 ABOUT WHETHER A ROAD SHOULD BE OPEN OR IT  
21 SHOULD BE CLOSED.

22 SO AS FAR AS NECO GOES, MY FEELING  
23 WOULD BE THAT I THINK THERE IS A PROBLEM  
24 THERE. THE FISH AND WILDLIFE SERVICE IS  
25 DEFINITELY PRESENTING US WITH ITS PROBLEM.

1                   AND SO I WOULD BE IN FAVOR OF THE  
2           CURRENT PROPOSAL.   BUT NOT IN FAVOR OF  
3           DESIGNATING THEM THOSE ROADS AS PERMANENTLY  
4           OPEN.

5                   I WOULD FEEL THAT WE SHOULD DECLARE  
6           THEM AN INTERIM SITUATION AND THEN BEGIN TO  
7           FOLLOW THE METHOD THAT'S BEING DEVELOPED IN  
8           THE WEST MOHAVE WHICH ALLOWS THE PUBLIC TO  
9           COMMENT ON THE REASONS WHY EACH ROUTE SHOULD  
10          BE OPEN OR CLOSED.

11                  AS FAR AS NEMO GOES, THERE THE BLM  
12          DID NOT HAVE TIME, I GUESS, OR THE RESOURCES  
13          TO DO A FULL SURVEY AND SO WE HAVE ONLY  
14          PRESENTED -- BEEN PRESENTED WITH A PROPOSAL TO  
15          DESIGNATE PERMANENT ROUTES OPEN IN JUST THE  
16          CRITICAL HABITAT AREAS.

17                  THOUGH WE HAVE -- I HAVE, ANYWAY,  
18          RIDDEN A FEW OF THOSE ROADS AND BEEN  
19          DISAPPOINTED IN THE QUALITY OF THE WORK THAT  
20          SEEMED TO HAVE BEEN DONE BY THE BLM.   SEVERAL  
21          OF THE ROUTES WERE PARALLEL.

22                  THERE WAS QUITE AN AREA WHERE A LOT  
23          OF ROUTES WERE THERE.   IT DIDN'T SEEM THAT  
24          THEY HAD BEEN USED IN A LONG TIME.   IT WASN'T  
25          CLEAR TO ME WHAT THE BLM FELT WAS THE VALUE OF



1       THESE PARTICULAR ROADS WITH RESPECT TO THE  
2       VALUE OF HAVING A REDUCED IMPACT ON TORTOISES.

3               SO I HAVE BASICALLY THE SAME  
4       RESERVATIONS THEN IN THE NEMO PLAN. I WOULD  
5       LIKE TO SEE US GO AHEAD AND DO SOMETHING,  
6       WHICH IS TO DO AN INTERIM ADOPTION OF THE  
7       PROPOSED NEMO ROUTE STRUCTURE. BUT TO GO BACK  
8       AND DO THE FULL JOB AND MAKE A PERMANENT  
9       DESIGNATION.

10              THE OTHER THING I AM CONCERNED ABOUT  
11       IS THAT IN THE NEMO AND -- I GUESS MAINLY IT'S  
12       IN THE NEMO PLAN, BUT I HAVE SEEN IT  
13       ELSEWHERE -- THAT THE BLM WAS SUPPOSED TO HAVE  
14       DESIGNATED A BASIC ROUTE SYSTEM WHICH WOULD BE  
15       I PRESUME MORE THROUGH ROADS AND ROADS WITH A  
16       LITTLE HIGHER STANDARD THAT WOULD BE THEN  
17       DESIGNATED -- MADE AVAILABLE FOR THE PUBLIC  
18       AND PUBLICIZED FOR PEOPLE TO GET AROUND THE  
19       DESERT WHO DIDN'T HAVE SPECIALIZED VEHICLES  
20       BUT WANTED TO SEE SOME BACKCOUNTRY.

21              AND THAT THIS BASIC NETWORK WOULD  
22       THEN BE A KIND OF FRAMEWORK THAT THEN WE WOULD  
23       BE ABLE TO GO IN AND SEE, WELL, WHAT SECONDARY  
24       ROUTES ARE USEFUL AND IMPORTANT AND NEEDED FOR  
25       ALL THE VARIOUS OTHER NEEDS WE NEED, WHETHER

1 IT'S HIKING TRAIL HEADS OR ROCKHOOUNDING OR  
2 ANYTHING IN THE DESERT OR TECHNICAL FOUR-WHEEL  
3 DRIVE RIDING.

4 I HAVEN'T SEEN ANYONE BEGIN TO  
5 ATTEMPT THIS KIND OF DISTINCTION. A BASIC  
6 ROUTE NETWORK AND THE MORE SPECIALIZED  
7 NETWORK. AND I WOULD LIKE TO SEE THAT DONE AT  
8 SOME POINT SINCE THEY DID SEEM TO FEEL THEY  
9 WERE GOING TO DO IT.

10 SO THAT'S MY COMMENTS ON THAT.

11 ILENE ANDERSON: OKAY. ANY OTHER  
12 ADDITIONAL COMMENTS ON THIS ISSUE BEFORE WE GO  
13 TO THE NEXT?

14 ISABELLA BURNS: I WOULD LIKE TO  
15 COMMENT ON ONE THING HERE. AND THAT IS  
16 CLOSING ROADS BECAUSE THEY ARE NOT BEING USED.  
17 I DON'T QUITE UNDERSTAND BOB'S STATEMENT ON  
18 THAT.

19 IF A ROAD ISN'T BEING USED -- FOR  
20 INSTANCE, IT MAY BE AN AREA WHERE ONE OF THE  
21 MINERAL CLAIMS IS OR IT MIGHT BE AN AREA THAT  
22 WE HAVE BEEN IN AND HAVE BEEN THERE  
23 ROCKHOOUNDING BEFORE, BUT WE AREN'T AT THE  
24 PRESENT TIME USING IT THAT MUCH, AS LONG AS IT  
25 ISN'T BEING USED I DON'T SEE THAT THAT'S ANY

1 REASON TO CLOSE IT.

2 BECAUSE IT OBVIOUSLY WAS  
3 ESTABLISHED. AND IF YOU REALLY LOOKED INTO IT  
4 YOU WOULD PROBABLY FIND A REASON WHY IT WAS  
5 ESTABLISHED.

6 AND I REALLY CAN'T SEE THAT YOU'D  
7 CLOSE SOMETHING JUST BECAUSE IT ISN'T BEING  
8 USED AT THE PRESENT TIME.

9 (AUDIENCE APPLAUSE.)

10 BOB ELLIS: WELL, I AM NOT TOTALLY  
11 OPPOSED TO THAT. I HAVE BEEN OUT THERE AND  
12 SEEN QUITE A FEW ROUTES WHICH -- IN FACT,  
13 DENNIS WAS MENTIONING A SITUATION WHERE HE HAD  
14 SEEN BULLDOZERS GO UP THE HILLSIDE OF HILLS  
15 JUST SORT OF FOR PRACTICE OF MAKING ROADS.

16 AND SO THERE ARE SITUATIONS OUT  
17 THERE WHERE IT EITHER WAS A MINING CLAIM AND  
18 NOBODY FOUND ANYTHING AND JUST RANDOMLY  
19 BULLDOZED AROUND. AND NOBODY REALLY WANTS  
20 THOSE ROADS TO BE THERE FROM A VISUAL POINT OF  
21 VIEW OR EVEN AN ACCESS POINT OF VIEW.

22 SO I THINK WHAT I'M ADVOCATING IS A  
23 STUDY AND AN EVALUATION OF WHAT'S THERE. NOT  
24 NECESSARILY, YOU KNOW --

25 DENNIS CASEBIER: WAS THAT

1 COMMENT -- DID YOU MENTION MY NAME?

2 BOB ELLIS: I DID. YOU TOLD ME  
3 ABOUT -- I THINK IT WAS THE MILITARY RUNNING  
4 DOZERS UP HILLSIDES.

5 DENNIS CASEBIER: THAT HAS  
6 ABSOLUTELY NO RELEVANCE TO WHAT WE ARE TALKING  
7 ABOUT HERE. IT HAD TO DO WITH --

8 (AUDIENCE APPLAUSE.)

9 IT HAD TO DO WITH THE ARMY MANEUVER  
10 IN 1964. AND THIS WAS ON BLM LAND.

11 I COULD GO INTO HOW LITTLE INTEREST  
12 BLM SHOWED THAT THE ARMY WAS GOING TO COME  
13 ACROSS COUNTRY.

14 AND SURE ENOUGH THEY WENT OUT THERE  
15 WITH THEIR BULLDOZERS AND PRACTICED MAKING  
16 ROADS UP THE SIDE OF THE MOUNTAIN.

17 THAT'S WHAT WE WERE DISCUSSING. I  
18 DON'T SEE HOW THAT FITS IN.

19 BOB ELLIS: WELL, MY POINT WAS THAT  
20 SOME OF THOSE TRACKS ARE STILL THERE AND  
21 SOMEONE SEEING THAT MIGHT FEEL THAT'S A ROAD.  
22 AND SOMEONE ELSE MIGHT THINK, WELL, IT ISN'T.  
23 SO...

24 DENNIS CASEBIER: IN MY EXPERIENCE I  
25 HAVE BEEN RIDING AROUND ON THE BACK ROADS OF

1 THE DESERT SINCE 1953, AND I HAVE NEVER MADE A  
2 ROAD. AND I HAVE A LOT OF OHV FRIENDS,  
3 HUNDREDS, AND I HAVE NEVER SEEN ANYBODY MAKE A  
4 ROAD.

5 SO THAT'S THE PART I WANT TO SET  
6 STRAIGHT.

7 JIM REDDY: I WAS GOING TO MAKE  
8 EXACTLY THE SAME POINT THAT ISABELLA MADE.  
9 BUT SHE MADE IT FOR ME, SO I DON'T HAVE TO  
10 EMPHASIZE IT TOO MUCH.

11 BUT MANY OF THE ROADS THAT AREN'T  
12 USED VERY OFTEN DO GO TO AN AREA THAT A MINER  
13 HAS A CLAIM ON. AND YOU DON'T GO BACK VERY  
14 OFTEN UNTIL YOU ARE GOING TO DEVELOP A MINE.

15 JUST BECAUSE A ROAD HASN'T BEEN USED  
16 VERY OFTEN -- OHVERS GET HUNG BECAUSE THEY USE  
17 THE ROAD TOO MUCH, MINERS AND ROCKHOUNDERS GET  
18 HUNG BECAUSE WE DON'T USE IT ENOUGH.

19 MAYBE WE NEED TO FIND THE RIGHT  
20 PLACE TO GO WHERE YOU CAN USE OUR ROAD HALF  
21 THE TIME AND WE CAN USE YOURS HALF THE TIME.

22 (AUDIENCE APPLAUSE.)

23 BUT I HOPE WE CAN CLEAR IT UP THAT  
24 MINERS AREN'T OUT THERE WITH BULLDOZERS GOING  
25 UP AND DOWN THE MOUNTAINS PRACTICING. I CAN

1       ASSURE YOU, WE DON'T GO PRACTICING WITH OUR  
2       BULLDOZERS.  WHEN WE USE THEM, WE USE THEM.

3               I BELIEVE THAT WAS CLEARED UP, I  
4       HOPE.

5               RON KEMPER:  MADAM CHAIR, IF I MAY.

6               I THINK IT'S IMPORTANT -- AND I  
7       THINK EVERYBODY ON THE DAC COMMISSION WILL  
8       UNDERSTAND, ESPECIALLY WHEN IT COMES TO  
9       MINERAL DEPOSITS, WHAT'S NOT ECONOMICAL TODAY  
10      MAY VERY WELL BE ECONOMICAL 20 YEARS FROM NOW.  
11      AND ALL OF US IN THIS ROOM WITH CHILDREN MAY  
12      NEED THAT STUFF, WHATEVER IT IS.

13              SO YOU CERTAINLY DON'T WANT TO CLOSE  
14      THOSE TYPES OF ROUTES.

15              (AUDIENCE APPLAUSE.)

16              ILENE ANDERSON:  OKAY.  I THINK WE  
17      WILL GO ON TO THE LAST OF THE THREE ISSUES,  
18      WHICH IS THE DWMAS.

19              AND I WOULD JUST LIKE TO REMIND THE  
20      COUNCIL THAT, YOU KNOW, AS HARD AS I AM TRYING  
21      TO STAY ON THE AGENDA, WE ARE STILL RUNNING  
22      BEHIND.  SO IF YOU CAN KEEP YOUR COMMENTS  
23      POINTED AND BRIEF, I WOULD GREATLY APPRECIATE  
24      IT.  BECAUSE I WOULD LIKE FOR THE PUBLIC TO  
25      HAVE AS MUCH TIME TO COMMENT AS WE HAVE TIME

1 FOR.

2 (AUDIENCE APPLAUSE.)

3 JIM REDDY: ON THE DWMA, THE ONLY  
4 COMMENT I WOULD HAVE IS THAT WE SORT OF  
5 EARLIER TODAY AT THE NON-TRT GRAZING ISSUE  
6 DECIDED THAT WE WERE GOING TO FUND SOME  
7 STUDIES AND DETERMINE WHETHER -- WHAT IS THE  
8 ACTUAL IMPACT ON THE DESERT TORTOISE WITH AND  
9 WITHOUT GRAZING.

10 AND WE HAVE LOTS OF ISSUES IN THESE  
11 AREAS. I WOULD HOPE THAT THE WORD ON THESE IS  
12 NOT WHAT BOB MENTIONED BEFORE, WHICH IS A  
13 PERMANENT DESIGNATION.

14 THAT WE ALWAYS KEEP IN MIND THAT  
15 EVERYTHING IS TEMPORARY, BECAUSE WE LEARN MORE  
16 BECAUSE THINGS CAN CHANGE.

17 TO PERMANENTLY CLOSE THINGS IS A BAD  
18 WAY OF PHRASING IT TO ME. WE HAVE IT  
19 PERMANENTLY OPEN, WHAT'S OPEN NOW, SO WHY  
20 WOULD WE CLOSE SOMETHING AND MAKE IT  
21 PERMANENT. IT OUGHT TO BE A TEMPORARY SO WE  
22 CAN LEARN MORE.

23 AS WE CONTINUE TO DO STUDIES PERHAPS  
24 ON THE GRAZING ISSUE, WE ARE GOING TO LEARN  
25 THAT PERHAPS OPEN RANGE CATTLE AREN'T SO BAD,

1       SO THEN WE WILL ALLOW GRAZING.

2                   PERHAPS AS WE LEARN MORE AND DO MORE  
3       STUDIES THOSE ROADS OR THOSE AREAS THAT WERE  
4       CLOSED OR CONVERTED TO DWMAS DO NOT BECOME  
5       WILDERNESS AREAS, BUT WE LEARN THAT THE  
6       IMPACTS ARE NOT SO SIGNIFICANT.  PERHAPS WE  
7       WILL LEARN THAT.  AND THE TEMPORARY CLOSURES,  
8       THE TEMPORARY DESIGNATIONS THAT ARE DWMAS WE  
9       ARE MAKING NOW CAN BE REMOVED AND THEY CAN  
10      BECOME REGULAR AREAS AGAIN.

11                   (AUDIENCE APPLAUSE.)

12                   DENNIS CASEBIER:  AS A  
13      REPRESENTATIVE OF THE GENERAL PUBLIC, AND  
14      FOCUSING ON THE DESERT TORTOISE, I SENSE --  
15      AND I FEEL MYSELF A GREAT LEVEL OF FRUSTRATION  
16      OVER THE LISTING OF THE DESERT TORTOISE IN THE  
17      FIRST PLACE.  AND THEN ALL OF THE DECISION-  
18      MAKING THAT'S GONE ON THAT'S FLOWED DOWN OUT  
19      OF THAT.

20                   AND WHAT REALLY BOTHERS ME ABOUT IT  
21      IS I DON'T THINK WE KNOW WHAT WE ARE DOING.  I  
22      THINK THAT HAS COME OUT TODAY.

23                   (AUDIENCE APPLAUSE.)

24                   AND ANOTHER THING THAT BOTHERS ME  
25      ABOUT IT IS -- THERE IS REALLY SOME DEJA VU



1       HERE. I CAN REMEMBER HAVING THIS MEETING 20  
2       YEARS AGO AND PEOPLE WERE STUDYING THE DESERT  
3       TORTOISE. AND THE FEDERAL GOVERNMENT WAS  
4       PICKING UP THE TAB.

5               AND SOMEHOW WITH THE PASSAGE OF  
6       THOSE 20 YEARS -- REALLY MORE THAN 20 YEARS --  
7       IT HASN'T ACCUMULATED TO ANYTHING THAT TELLS  
8       US WHAT WE REALLY OUGHT TO DO.

9               AND HOW MUCH OF THAT IS -- DON'T GET  
10      ME STARTED ON THE CONSPIRACY THEORY -- BUT THE  
11      TORTOISE THEN TURNS OUT TO BE AN ENGINE TO  
12      DEPRIVE THE AVERAGE CITIZEN, WHICH IS WHAT I  
13      REPRESENT, OF THEIR FREEDOM AND THEIR RIGHTS.

14              (AUDIENCE APPLAUSE.)

15              AND I KNOW WE HAVE MADE ONE MOTION  
16      ALREADY TO TRY TO CORRECT THAT. BUT WE WILL  
17      NEED A BROADER ONE BEFORE THE DAY'S OVER.

18              HOW LATE DO WE GET TO STAY HERE?

19              ILENE ANDERSON: WELL, I WOULD LIKE  
20      TO KEEP ON THE AGENDA AS MUCH AS POSSIBLE.

21              DENNIS CASEBIER: GOOD. THAT'S ALL  
22      I HAVE TO SAY.

23              MARILYN BEARDSLEE: I HAVE NO  
24      COMMENT TO MAKE AT THIS TIME.

25              ILENE ANDERSON: OKAY.

1 ROY DENNER: I WILL MAKE MY COMMENTS  
2 BY DOING THIS REAL SHORT. TWO POINTS:

3 ONE IS THAT THEY ARE OBVIOUSLY  
4 EXCESSIVE.

5 TWO IS, WITH ALL THE TESTIMONY WE  
6 HAVE HEARD TODAY FROM BLM'S OWN PEOPLE, IT'S  
7 QUITE CLEAR THERE IS NOT SUFFICIENT EVIDENCE  
8 TO CLOSE ALL THOSE AREAS. AND THAT EVEN THE  
9 BLM EXPERTS WHO HAVE STUDIED THE PROBLEM FOR  
10 YEARS DON'T AGREE WITH ONE ANOTHER.

11 SO THIS IS A MOVE THAT HAS BEEN  
12 TAKEN WAY BEFORE IT'S TIME.

13 (AUDIENCE APPLAUSE.)

14 BILL BETTERLY: BILL BETTERLY AGAIN  
15 REPRESENTING THE PUBLIC-AT-LARGE.

16 AND I AGREE WITH DENNIS 100 PERCENT.

17 BUT, YOU KNOW, A FEW IFFY EDITORIALS  
18 THAT ARE IN THE NEWSPAPERS ALL OVER THE  
19 SOUTHERN CALIFORNIA AREA -- I AM SURE NOT JUST  
20 HERE -- THE PEOPLE ARE UPSET THAT THE BUREAU  
21 OF LAND MANAGEMENT IS CLOSING ROADS.

22 AND I THINK I CANNOT SUPPORT THAT.  
23 AND I DON'T KNOW WHAT HARM THOSE ROADS DO TO  
24 THE BUREAU. THEY ARE NEVER GOING TO PATROL  
25 THEM, ANYWAY.

1                   AND I WILL SUPPORT DENNIS FROM WHAT  
2       HE SAID.

3                   (AUDIENCE APPLAUSE.)

4                   ILENE ANDERSON:  WELL, HOW I LOOK AT  
5       THE DWMA ISSUE IS THAT THE DESERT TORTOISE IS  
6       WHAT IS RECOGNIZED IN BIOLOGY AS A KEYSTONE  
7       SPECIES.  A SPECIES THAT HELPS TO EVALUATE THE  
8       GENERAL HEALTH OF WHAT'S GOING ON OUT IN THE  
9       DESERT.

10                  AND I CERTAINLY KNOW THAT WHEN I  
11       WALK OUT IN THE DESERT I SEE A LOT OF SPECIES  
12       THAT DIDN'T ORIGINATE FROM THE SOUTHERN  
13       CALIFORNIA DESERT AREAS THAT HAVE INVADED FROM  
14       EUROPE AND THE MEDITERRANEAN AREA.

15                  AND I AM WORRIED ABOUT THIS WEED  
16       INVASION.  AND THIS HAS BEEN LINKED TO STUDIES  
17       -- I AM NOT A GREAT DESERT TORTOISE EXPERT,  
18       BUT I KNOW THAT ONE OF THE ISSUES WITH THE  
19       DESERT TORTOISE IS THE NUTRITIONAL VALUE IN  
20       SOME OF THESE WEED SPECIES.

21                  I THINK ONE THING THE DESERT  
22       TORTOISE RESEARCHERS ALL AGREE ON IS THAT IN  
23       AREAS THERE HAVE BEEN SEVERE DECLINES.

24                  AND SO IN THAT RESPECT I AM  
25       CONCERNED ABOUT THE KEYSTONE SPECIES IN THE

1 DESERT, THE DESERT TORTOISE, BECAUSE IT'S  
2 REFLECTING PERHAPS A CHANGE THAT'S GOING ON  
3 OUT THERE THAT'S SO INSIDIOUS THAT WE CAN'T  
4 EVEN REALLY PUT OUR FINGER ON IT.

5 AND HOW MANY SCIENTIFIC STUDIES IS  
6 IT GOING TO TAKE TO BE ABLE TO FIGURE OUT THE  
7 LARGE PICTURE OF WHAT'S HAPPENING OUT THERE.

8 SO I SUPPORT THE DWMAS AS THEY ARE  
9 PROPOSED IN THE NECO PLAN, AS WELL AS THE FULL  
10 RECOVERY PLAN, BECAUSE I THINK THAT BY HELPING  
11 THE DESERT TORTOISE RECOVER TO PREVIOUS  
12 LEVELS, IT'S GOING TO ENSURE THE HEALTH OF THE  
13 DESERT AS AN ECOSYSTEM.

14 WALLY LEIMGRUBER: WALLY LEIMGRUBER.  
15 WE HAVE BEEN ON THIS DESERT TOPIC  
16 FOR SOME TIME. I BELONG TO AN ORGANIZATION  
17 THAT'S QUAD STATE COALITION. WE HAVE HAD MUCH  
18 DISCUSSION ABOUT THE DESERT TORTOISE.

19 AND MY CONCERNS ARE I THINK WE ARE  
20 SIMPLY OVERLOOKING THE RESPIRATORY ILLNESS AND  
21 THE DEATH WHICH OCCURS TO THESE ANIMALS,  
22 REPTILES BECAUSE OF -- IT'S AN ONGOING DISEASE  
23 PROBLEM. AND WE ARE CLOSING AREAS. AND I  
24 DON'T SEE WHAT RELATIONSHIP THAT HAS IN  
25 RESTORING THIS REPTILE. I THINK WE ARE

1       ACTUALLY GOING DOWN THE WRONG ROAD.

2                   I THINK WE NEED TO TURN BACK AND  
3       ADDRESS THE SCIENCE ON HOW TO DEAL WITH THIS  
4       ILLNESS.   PERHAPS SOME INOCULATIONS TO THE  
5       SPECIES.

6                   BUT SIMPLY CLOSING AREAS -- WE HAVE  
7       LOST HERE 25,600 ACRES.   PEOPLE CAME THERE.  
8       THEY CAMP THERE.   THEY ENJOY THEMSELVES THERE.  
9       I DON'T SEE HOW THAT'S GOING TO RECOVER A  
10      SPECIES.

11                  I WOULD LIKE TO SEE US GET BACK TO  
12      SOME MEDICAL STUDIES, FINDING OUT HOW WE CAN  
13      NURSE THESE REPTILES BACK PERHAPS WITH SOME  
14      MEDICAL SCIENCE.

15                  (AUDIENCE APPLAUSE.)

16                  RANDY RISTER:  I, TOO, LIKE ILENE AM  
17      CONCERNED ABOUT THE WEEDS AND THE INVADER  
18      SPECIES.

19                  I THINK YESTERDAY ON THE DRIVE OUT  
20      THERE I THINK IT WAS DICK CROWE OR TIM POINTED  
21      OUT A SALT CEDAR NOT TOO FAR FROM MILPITAS  
22      WASH ROAD.

23                  AND I CAN GUARANTEE YOU, THE NEXT  
24      TIME YOU DRIVE THAT ROAD YOU WON'T FIND THAT  
25      SALT CEDAR.   WHEN WE GO OUT TO TRANSPLANT OR

1 RESEED THAT WATER SOURCE AREA, THAT'S GOING TO  
2 BE GONE.

3 AND WE TEND TO DO THAT WHEN WE FIND  
4 INVADER SPECIES, WHETHER THEY ARE ON A PROJECT  
5 SITE OR ON THE WAY TO A PROJECT SITE, WE TRY  
6 TO REMOVE THOSE.

7 AND WE HAVE WORKED WITH THE BLM  
8 BEFORE IN VARIOUS AREAS LIKE CREOSOTE JUAREZ  
9 AND OTHERS NATIVE PALM CANYONS IN AREAS  
10 THROUGHOUT OUT THE VALLEY TO TRY TO BRING  
11 INVADER SPECIES.

12 AND IT IS A CRITICAL PROBLEM. THE  
13 COLORADO RIVER IS CHOKED OFF WITH SALT CEDARS  
14 AND NUMEROUS WEED INVADERS, AND WE WILL HAVE  
15 TO GET A HANDLE ON THAT.

16 IN RELATIONSHIP TO THE DESERT  
17 TORTOISE I THINK YOU DO HAVE TO TAKE A LOOK AT  
18 THE SIZE AND SHAPE OF THE HABITAT. THERE IS  
19 NO NEED TO MAKE A POSTAGE STAMP DWMA OUT  
20 THERE.

21 I THINK WE HAVE SEEN THAT ON THE  
22 TORTOISE RESERVE THAT IF YOU MAKE IT TOO SMALL  
23 YOU LOSE. SO YOU WILL HAVE TO HAVE ENOUGH  
24 AREA TO ALLOW THE TORTOISE TO RECOVER.

25 I THINK WALLY TALKED ABOUT WE ARE

1       GOING TO HAVE TO GET A HANDLE ON THE DISEASE  
2       PROBLEM.  THAT TO ME IS THE MOST CRITICAL  
3       ISSUE.  IF YOU SOLVE THE DISEASE I THINK THERE  
4       IS ENOUGH HABITAT OUT THERE THAT THEY WILL  
5       RECOVER.

6                SO IN LOOKING AT THESE ISSUES, THE  
7       GRAZING, THE ROUTES, THE OHV, THE WATER  
8       SOURCES, I REALLY DON'T SEE IF YOU PUT ALL  
9       THOSE TOGETHER THAT THEY MAKE AS MUCH OF AN  
10      IMPACT ON THE TORTOISE AS THE DISEASE PROBLEM  
11      DOES.  AND THAT TO ME IS THE MOST CRITICAL  
12      THING.

13               SO MY FEELING ON THE DWMA IS IF IT'S  
14      OPEN AND ACCESSIBLE, WE CAN GET IN AND DO WHAT  
15      WORK NEEDS TO BE DONE FOR ALL SPECIES,  
16      INCLUDING THE TORTOISE, AND THAT'S GOOD.

17               IF IT'S SMALL, CLOSED AND LIMITED,  
18      THAT'S NOT GOOD.

19               SO AGAIN, OPEN IS GOOD, CLOSED IS  
20      BAD.

21               (AUDIENCE APPLAUSE.)

22               ISABELLA BURNS:  I CERTAINLY AGREE  
23      ON THE FACT THAT WE NEED TO LOOK AT THE  
24      DISEASE.  THE TORTOISE TYPES OF SPECIES HAVE  
25      BEEN AROUND FOR MANY YEARS.  WE FIND MANY

1       FOSSILS THAT CONTAIN THE TORTOISE SPECIES.

2               AND SOMETHING HAS BEEN CAUSING THE  
3       PROBLEM WITH THEM RECENTLY IN THE LAST YEARS  
4       COMPARED TO GEOLOGICAL YEARS.

5               AND I THINK THE IDEA IS THAT WE CAN  
6       DO SOMETHING TO HELP THEM, BUT I AM NOT SURE  
7       THAT WE AREN'T JUST TRYING TO PUT A LITTLE  
8       BAND-AID ON WHEN WE CLOSE SOMETHING BECAUSE WE  
9       THINK THAT WILL HELP.

10              I AGREE THAT WE NEED AREAS WHERE  
11       THEY ARE AND WHERE WE CAN STUDY THEM. I THINK  
12       THAT AS RANDY SAYS THEY HAVE TO BE SIZABLE  
13       ENOUGH TO WHERE WE HAVE AN OPPORTUNITY TO  
14       ADJUST WHAT IS THE PROBLEM. THAT WE CAN'T  
15       VERY WELL MANAGE THEM AT ALL TO SEE WHAT THE  
16       PROBLEM IS EVEN IF THE AREA IS CLOSED AND WE  
17       CAN'T GET INTO IT.

18              AND SO I THINK THAT WE DO NEED TO  
19       KEEP THE AREAS OPEN AS MUCH AS POSSIBLE AND DO  
20       AS MUCH AS WE CAN TO HELP THEM. BUT I DON'T  
21       THINK THAT EVERYTHING HAS TO BE TURNED OVER TO  
22       THE TORTOISE.

23              (AUDIENCE APPLAUSE.)

24              JON MCQUISTON: THE TWO PLANS THAT  
25       WE ARE LOOKING AT TODAY CURRENTLY ASKS YOU TO



1 STEP AROUND THE TABLE IN VARIOUS WAYS. REALLY  
2 WHETHER YOU CALL IT THE KEYSTONE SPECIES OR  
3 WHATEVER ELSE. SO MUCH OF WHAT'S DRIVING THE  
4 PLANS IS THE RECOVERY PLAN FOR THE DESERT  
5 TORTOISE.

6 I REMEMBER LISTENING TO A GENTLEMAN  
7 A FEW YEARS AGO TALKING ABOUT ENDANGERED  
8 SPECIES AND ASKED THREE QUESTIONS THAT COMES  
9 UP FROM TIME TO TIME, WHICH I STILL HAVEN'T  
10 HEARD A RIGHT ANSWER OR AN ADEQUATE ONE.

11 BUT THE FIRST QUESTION IS HOW MANY  
12 ARE THERE. THE SECOND QUESTION IS HOW MANY  
13 SHOULD THERE BE. AND THE THIRD QUESTION IS  
14 HOW DO YOU KNOW.

15 (AUDIENCE APPLAUSE.)

16 AND I THINK TO SOME EXTENT I AGREE  
17 WITH YOU, DENNIS. WE DON'T KNOW WHAT WE ARE  
18 DOING IN MANY RESPECTS. AND FROM A RESOURCE  
19 MANAGEMENT PERSPECTIVE, THE EQUIPMENT WE HAVE  
20 IS READY, FIRE, AIM.

21 MY INTEREST IN THIS COMES FROM THE  
22 FACT THAT WE ARE DEALING WITH RURAL AREAS IN A  
23 RURAL ECONOMY THAT DEPENDS ON ACCESS TO THE  
24 LAND, ACCESS TO RENEWABLE AND NONRENEWABLE  
25 RESOURCES AND TO MULTIPLE USE.

1                   AND IT SEEMS THAT BECAUSE OF THIS  
2           ONE KEYSTONE SPECIES THAT ALL OF LAND  
3           MANAGEMENT IS GETTING UNDUE FOCUS AND  
4           ATTENTION ON SPECIES RATHER THAN -- THIS  
5           PARTICULAR ONE RATHER THAN MULTIPLE USERS AND  
6           ALL OF THE OTHER COMPETING USES.

7                   TO ME WE SIMPLY ARE NOT READY TO  
8           PROCEED UNTIL SOMEBODY WANTS TO DEAL WITH THE  
9           RECOVERY PLAN ITSELF.

10                   THE RECOVERY PLAN WAS PUT IN PLACE  
11           IN 1994. IT WAS A SNAPSHOT, IF YOU WILL, OF  
12           THE SCIENCE AND DATA AT THAT MOMENT IN TIME.  
13           WE WERE ASSURED THAT IT WOULD BE REASSESSED  
14           EVERY THREE TO FIVE YEARS.

15                   THAT PROMISE HAS NEVER BEEN MET.  
16           AND THE THINGS THAT WE ARE TALKING ABOUT TODAY  
17           IN TERMS OF GOOD SCIENCE, MONITORING,  
18           FOLLOW-UP, HOW DO WE MEASURE EFFECTIVENESS  
19           HASN'T BEEN DONE.

20                   THE RECOVERY PLAN IS A PROTOTYPE  
21           MODEL. THE MANAGEMENT PLAN WE ARE GOING TO  
22           PUT INTO PLACE IS A PRODUCTION MODEL OF HOW WE  
23           ARE GOING TO MANAGE IT.

24                   NO BUSINESS WOULD EVER TAKE A  
25           PROTOTYPE AND MAKE IT THE PRODUCTION MODEL.

1 WE SIMPLY NEED TO UNDERSTAND MORE AND KNOW  
2 MORE. AND THE STARTING POINT FOR THIS SCIENCE  
3 IS THROUGH THE RECOVERY PLAN. AND IT'S  
4 FLAWED.

5 AND NOW WE ARE GOING TO IMPLEMENT A  
6 PLAN FOR THE NEXT DECADE OR TWO, OR WHATEVER,  
7 ON A RECOVERY PLAN THAT HAS NEVER BEEN  
8 REASSESSED. WE HAVE NEVER BEEN GIVEN THE  
9 I.O.U. THAT WE WERE PROMISED. AND NOW WE ARE  
10 GOING TO IMPLEMENT SOMETHING BASED ON THAT  
11 FLAWED INFORMATION AS IT EXISTED AT THAT POINT  
12 IN TIME.

13 SO I THINK I WILL SHUT UP BEFORE I  
14 SAY MORE THAN I KNOW AND MAY ALREADY HAVE.

15 (AUDIENCE APPLAUSE.)

16 RON KEMPER: RON KEMPER, RENEWABLE  
17 RESOURCES.

18 A LOT OF WHAT I WANTED TO SAY HAS  
19 ALREADY BEEN SAID AND I WILL TRY TO KEEP IT  
20 SHORT.

21 THE PROBLEM I SEE WITH THE DWMA AND  
22 THE RECOVERY PLAN AND THE DESERT PLAN IS THAT  
23 IT'S -- THAT IT MAKES PROMISES THAT WE CAN'T  
24 KEEP.

25 WE HAVE HAD A MULTITUDE OF LAWSUITS

1 GROW OUT OF NOT MEETING REQUIREMENTS OF THOSE  
2 PLANS.

3 WHEN THE REALITY IS THAT THIS DESERT  
4 IS ONLY FUNDED AT 20 PERCENT OF WHAT THE  
5 ORIGINAL PLAN REQUIRES BE SPENT IN 1990  
6 DOLLARS, WHICH WAS 100 MILLION DOLLARS A YEAR.

7 AND, TIM, CORRECT ME IF I AM WRONG,  
8 BUT I THINK YOU ARE AT ABOUT 18 OR 20 MILLION  
9 DOLLARS A YEAR. AND THAT INCLUDES YOUR FIRE  
10 BUDGET. PLUS GRANTS OR INCLUDING GRANTS.

11 TIM SALT: LESS THAN THE FIRE  
12 BUDGET.

13 RON KEMPER: LESS THAN THE FIRE  
14 BUDGET. OKAY.

15 SO HERE WE ARE IMPLEMENTING A PLAN  
16 AND WE ARE AMENDING THAT PLAN. I SUSPECT IT  
17 WILL COST MORE MONEY.

18 AND TODAY -- YOU KNOW, AND WE WERE  
19 TALKING ABOUT 1990 DOLLARS. I SUSPECT THE  
20 2002 DOLLAR'S SUBSTANTIALLY HIGHER THAN 100  
21 MILLION DOLLARS A YEAR.

22 IF I WERE GIVING ADVICE TO A  
23 BUSINESS THAT BROUGHT ME THIS TYPE OF PLAN, I  
24 WOULD SAY DON'T EVEN OPEN THE DOOR, BECAUSE IT  
25 AIN'T GOING TO WORK.

1                   WHATEVER YOUR BUDGET IS -- AND I  
2           PLAN TO ASK AND HOPE WE HAVE TIME -- WHAT THE  
3           APPROPRIATION PROCESS IS FOR THIS BUDGET.

4                   IN THE FINAL ANALYSIS, WHOEVER DOES  
5           THAT APPROPRIATION DECIDES OR SHOULD DECIDE BY  
6           A LINE ITEM BUDGET WHAT'S FUNDED AND WHAT  
7           ISN'T FUNDED.

8                   WHAT ISN'T FUNDED SHOULD BE DROPPED  
9           FROM THE PLAN.   THEREBY YOU CAN'T GET SUED FOR  
10          NOT DOING IT.

11                   (AUDIENCE APPLAUSE.)

12                   SHERI DAVIS:   EVERYTHING THAT I  
13          WOULD HAVE SAID OR WANTED TO SAY HAS ALREADY  
14          BEEN SAID.

15                   I JUST WANT TO SAY ON BEHALF OF ALL  
16          OF THE OPPORTUNITIES I HAVE HAD TO WORK WITH  
17          THE BUREAU OF LAND MANAGEMENT CLOSELY IN WHAT  
18          I DO, WHICH IS FILM, IS THERE IS A GREAT  
19          CONCERN FOR THE DESERT TORTOISE AND THE ISSUES  
20          THAT FACE THEM.

21                   BUT, YOU KNOW, WE ARE ASKING OF AN  
22          AGENCY ALMOST IMPOSSIBLE TASKS SOMETIMES  
23          WITHOUT THE LACK OF FUNDING AND THE PERSONNEL  
24          TO ACCOMPLISH THE THINGS THAT THEY ARE TASKED  
25          WITH.

1                   AND SO I AGREE WITH RON THAT IF IT'S  
2           NOT FUNDED IT SHOULD BE DROPPED FROM THE PLAN  
3           SO THAT THE AGENCY IS MORE FREE TO DO THE  
4           THINGS THAT THEY CAN DO.

5                   (AUDIENCE APPLAUSE.)

6                   BOB ELLIS:  WELL, THE TOPIC NOW I  
7           BELIEVE IS PRESCRIPTIONS WITHIN THE DWMAS.

8                   THE RECOVERY PLAN WAS NOT ACTUALLY  
9           PUT FORTH AS AN ALTERNATIVE IN THE NECO PLAN.

10                  THE RECOVERY PLAN, AS BEST DONE BY  
11           FISH AND WILDLIFE, THAT WAS THEIR BEST  
12           INFORMATION IN 1994, HAD QUITE A FEW OTHER  
13           THINGS IN IT THAT ARE NOT EVEN PUT FORTH IN  
14           THE NECO PLAN, SUCH AS LIMITING PARKING AND  
15           CAMPING TO DESIGNATED AREAS IN THE DWMAS.

16                  I FEEL IT IS A DEFECT THAT THIS FULL  
17           RECOVERY PLAN WASN'T PUT FORTH AS AN  
18           ALTERNATIVE IN THE NECO PLAN.

19                  IT'S CLEAR THERE'S NOT GOING TO BE A  
20           LOT OF SUPPORT FOR THAT.  BUT I FEEL THAT IT  
21           SHOULD HAVE BEEN MADE AT LEAST AN ALTERNATIVE  
22           FROM WHICH WE COULD ALL BEGIN TO DISCUSS.

23                  AS ENVIRONMENTAL PROTECTION  
24           REPRESENTED ON THE BOARD I SUPPORT THE  
25           RECOVERY PLAN PRESCRIPTIONS FOR THE DWMA.

1                    ILENE ANDERSON:  OKAY.  ANY OTHER  
2    COMMENTS?

3                    RANDY RISTER:  ONE OTHER COMMENT.

4                    THE 1994 DESERT TORTOISE RECOVERY  
5    PLAN IS NOT THE WHOLE GRILL.  IT'S NOT A  
6    DICTATE.  IT WAS A RECOMMENDATION ON WHAT THE  
7    BEST THOUGHTS AT THAT TIME WERE FOR THE  
8    TORTOISE RECOVERY.

9                    I THINK THERE HAS BEEN SOME  
10    ADDITIONAL THINGS LEARNED SINCE THEN.  I THINK  
11    THAT THAT MAY PARTLY BE THE JUSTIFICATION FOR  
12    WHY SOME OF THOSE RECOMMENDATIONS -- AND I SAY  
13    IN QUOTES "RECOMMENDATIONS" -- ARE NOT IN THE  
14    NECO PLAN.

15                   I THINK WE LOOKED AT WHAT DOES LOOK  
16    LIKE IT'S GOING TO WORK, PUT THAT IN THE PLAN.  
17    WHAT WE NOW KNOW IS INEFFECTIVE.  MAYBE WE  
18    SHOULDN'T DO THAT.

19                   LET ME GIVE YOU A SPECIFIC CASE.

20                   IF YOU LOOK AT THE PAGE 2-10 OF THE  
21    MAP OF THE LARGE DWMA, WHICH IS THE PREFERRED  
22    ALTERNATIVE, AND THE AREAS THAT ARE GOING TO  
23    BE CLOSED FOR DRIVABLE WASHES, YOU HAVE GOT  
24    WILDERNESS AREAS WHICH WERE CLOSED IN 1994.  
25    YOU HAVE SOME ACECS AND YOU HAVE THE CHOCOLATE

1 MOUNTAIN BOMBING RANGE.

2 NOW, THE CHOCOLATE MOUNTAIN BOMBING  
3 RANGE HAS THE MOST WASHES THAT ARE CLOSED.  
4 BUT IN EFFECT THE CHOCOLATE MOUNTAIN BOMBING  
5 RANGE HAS BEEN CLOSED SINCE THE 1940'S.

6 IT IS STILL CLOSED TO THIS DAY. IT  
7 IS RESTRICTED, IT'S SIGNED, THE MILITARY  
8 PATROLS IT AND THOSE WASHES ARE CLOSED. THEY  
9 HAVE BEEN CLOSED ALL THAT TIME.

10 IT WAS NOT REALLY TO BE CONSIDERED  
11 TO BE PART OF THE INITIAL CLOSURE, BUT IT IN  
12 FACT IS A CLOSED AREA.

13 BUT LET'S LOOK AT WHAT'S GONE ON AT  
14 THE BOMBING RANGE.

15 I PERSONALLY NEVER AGREED WITH THE  
16 CENSUS OF THE POPULATION PER SQUARE MILE OF  
17 TORTOISES AND THE AMOUNTS THAT WAS SIGHTED.

18 BUT I DO AGREE THAT THE CHOCOLATE  
19 MOUNTAIN BOMBING RANGE HAD PROBABLY THE  
20 HIGHEST DENSITY OF ANYPLACE, INCLUDING THOSE  
21 ON THE CHUCKWALLA BENCH. I JUST DIDN'T AGREE  
22 WITH THE NUMBER.

23 BUT HERE YOU HAVE A FACILITY THAT  
24 DOESN'T HAVE ANY DRIVING. YOU HAVE BOMBING  
25 TARGETS ON 4,000 ACRES IN A 275,000 ACRE



1 RESERVE. LESS THAN ONE HALF OF ONE PERCENT.  
2 AND THOSE TARGETS ARE NOWHERE NEAR THE  
3 TORTOISE HABITAT.

4 AND YET DRIVING HASN'T OCCURRED.  
5 BOMBING HASN'T BEEN KILLING THE TORTOISES.  
6 HUNTING ISN'T DOING IT. OHV'S AREN'T DOING  
7 IT. AND YET THE BIGGEST CRASH OF THE TORTOISE  
8 POPULATION IN IMPERIAL COUNTY IS ON THE  
9 BOMBING RANGE.

10 SO AGAIN, I LOOK AT THE  
11 PRESCRIPTIONS, I LOOK AT WHAT WE ARE DOING  
12 HERE, AND I KEEP SEEING THIS BROKEN-RECORD  
13 EFFECT WHERE WE ARE SAYING, WELL, YOU HAVE GOT  
14 TO STOP DRIVING THE WASHES, WE HAVE GOT TO  
15 STOP THE MINING.

16 THERE HAS BEEN NO MINING IN ALL THAT  
17 TIME. ALL THE MINING FACILITIES WERE TAKEN  
18 OVER AND FORCED OUT AND HAVEN'T BEEN BACK IN.

19 SO MINING ISN'T DOING IT, OHV ISN'T  
20 DOING IT, HUNTING ISN'T DOING IT, ROCKHOUNDERS  
21 AREN'T DOING IT, AND YET THE TORTOISES ARE  
22 CRASHING. AND THAT WAS THE BIGGEST DENSITY WE  
23 HAD.

24 SO WHAT'S KILLING THEM? ALL THESE  
25 OTHER THINGS AREN'T AFFECTING THEM. WHAT IS

1 DOING IT? DISEASE.

2 (AUDIENCE APPLAUSE.)

3 RON KEMPER: MADAM CHAIR, IT HAS  
4 BEEN BROUGHT TO OUR ATTENTION ON SEVERAL  
5 OCCASIONS THAT SOME OF THE LARGEST VIABLE  
6 POPULATIONS OF TORTOISES EXIST ON CATTLE  
7 RANCHES.

8 AND IF WE BELIEVED THAT IT WOULD  
9 HELP THE TORTOISE, I WOULD BE HAPPY TO DONATE  
10 SOME CATTLE SO THAT MAYBE WE CAN GET SOME OF  
11 THE TORTOISE BACK.

12 (AUDIENCE APPLAUSE.)

13 ILENE ANDERSON: OKAY. ANY OTHER  
14 COMMENTS FROM THE COUNCIL?

15 OKAY. I WOULD LIKE TO OPEN IT UP  
16 THEN TO PUBLIC COMMENT.

17 AND FIRST -- I AM GOING TO READ  
18 THESE OFF SORT OF BY PEOPLE WHO SUBMITTED FOR  
19 COMMENTS ON NEMO AND NECO AND THEN NONAGENDA  
20 ISSUES.

21 AND UNFORTUNATELY, BECAUSE WE ARE  
22 RUNNING SHORT, I APPRECIATE THOSE OF YOU THAT  
23 DEFERRED YOUR TIME TO DAVID HUBBARD. AND YOU  
24 WILL HAVE 15 MINUTES AGAIN TO PRESENT WHATEVER  
25 COMMENTS YOU HAVE ON NEMO, NECO.

1                   OKAY. I AM SORRY. IT'S BEEN A LONG  
2 AFTERNOON. AND THESE COMMENTS WILL BE  
3 SPECIFICALLY FOR NEMO, NECO.

4                   DAVID HUBBARD WILL HAVE 15 MINUTES  
5 AND THEN THE REST OF YOU WILL GET TWO MINUTES.

6                   OKAY. FOR THE COURT REPORTER PLEASE  
7 REMEMBER TO STATE YOUR NAME AND SPELL IT.

8                   DAVID HUBBARD: GOOD AFTERNOON.  
9 AGAIN, MY NAME IS DAVID HUBBARD,  
10 H-U-B-B-A-R-D. I AM AN ENVIRONMENTAL LAWYER  
11 WITH THE FIRM OF PROCOPIO, CORY, HARGREAVES  
12 AND SAVITCH IN SAN DIEGO.

13                  WITH RESPECT TO THE NECO AND NEMO I  
14 AM LEGAL COUNSEL FOR THE OFF-ROAD BUSINESS  
15 ASSOCIATION, CORVA, SAN DIEGO OFF-ROAD  
16 COALITION, AS WELL AS MANY OTHER OFF-ROAD  
17 GROUPS.

18                  I AM VERY ENCOURAGED BY THE  
19 DISCUSSION THAT I HAVE HEARD HERE TODAY. IT  
20 IS CLEAR TO ME NOW THAT AT LEAST A GOOD NUMBER  
21 OF THE MEMBERS OF DAC UNDERSTAND WHAT THE REAL  
22 ISSUE IS. YOU GET IT.

23                  IF WE ARE TRULY INTERESTED IN SAVING  
24 THE DESERT TORTOISE, WE NEED TO FOCUS ON  
25 DISEASE AND RAVEN PREDATION AND NOT REARRANGE

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1 DECK CHAIRS ON THE TITANIC AND CONTINUE TO  
2 CLOSE THE ROADS, CLOSE WASHES AND CLOSE AREAS  
3 THAT OTHERWISE WOULD BE OPEN TO THE PUBLIC.

4 OF THE NEMO AND NECO PLANS THERE IS  
5 REALLY ONE FUNDAMENTAL QUESTION THAT THE DAC  
6 HAS TO ANSWER AND BLM HAS TO ANSWER. AND THAT  
7 IS, WILL THESE PLANS ASSIST THE DESERT  
8 TORTOISE IN ITS RECOVERY OR WILL THEY NOT.

9 I SUBMIT TO YOU THEY WILL NOT. AT  
10 LEAST NOT IN THEIR CURRENT FORM.

11 THE PROBLEM WITH THE PLANS IS THAT  
12 THEY TREAT THE DESERT TORTOISE RECOVERY AS A  
13 LAND USE MANAGEMENT ISSUE. IT IS NO SUCH  
14 THING.

15 IN FACT, DESERT TORTOISE RECOVERY IS  
16 A MEDICAL VETERINARIAN AND EPIDEMIOLOGICAL  
17 ISSUE. IT'S ABOUT TIME THAT EVERYONE STARTED  
18 TO BELLY UP TO THE BAR AND ACCEPT THAT AS IT'S  
19 THE CHARGE THAT ALL OF YOU, THE BLM, THE  
20 UNITED STATES FISH AND WILDLIFE SERVICE HAS  
21 UNDER THE ENDANGERED SPECIES ACT TO RECOVER  
22 THAT SPECIES.

23 THESE PLANS SHOULD FOCUS ON DISEASE  
24 DETECTION AND CONTROL. THEY SHOULD ADDRESS  
25 RAVEN PREDATION.

1                   INSTEAD THEY FOCUS PRIMARILY ON  
2       RESTRICTING PUBLIC ACCESS AND CREATE STILL  
3       MORE HABITAT FOR THE DESERT TORTOISE, ALTHOUGH  
4       THERE'S PLENTY OF HABITAT FOR THE TORTOISE.

5                   AND EVEN IN THE MOST PRISTINE  
6       HABITAT THE TORTOISES ARE CRASHING.  EVEN IN  
7       THE AREAS WHERE NO HUMAN ACTIVITY OCCURS THE  
8       TORTOISES ARE CRASHING.

9                   IT IS INTERESTING TO NOTE THAT SINCE  
10      1994 WHEN MILLIONS OF ACRES OF OPEN DESERT  
11      AREA WERE CLOSED TO PROTECT THE DESERT  
12      TORTOISE, THAT SINCE THAT TIME THE TORTOISE  
13      HAS CONTINUED TO DECLINE.

14                  WHAT THAT DEMONSTRATES IS THAT  
15      CLOSURES ARE AN INEFFECTIVE TOOL IN RECOVERING  
16      THE DESERT TORTOISE.

17                  BUT WHAT THESE PLANS DO IS THEY  
18      SIMPLY PERPETUATE THAT FAILURE.  AND IT'S TIME  
19      TO REVERSE THAT TREND.

20                  THE DEFICIENCIES OF THESE TWO PLANS  
21      START WITH WHAT I HAVE REFERRED TO AS A  
22      CERTAIN LEVEL OF DISHONESTY.

23                  THERE IS NO DISCUSSION IN THESE  
24      PLANS.  THERE IS NO HIERARCHY AS TO THE CAUSES  
25      OF DESERT TORTOISE MORTALITY.

1                   ALL OF THE CAUSES ARE LUMPED  
2           TOGETHER AS IF THEY ARE COEQUALS IN THEIR  
3           DAMAGE TO THE TORTOISE.

4                   WE KNOW THAT'S NOT TRUE.

5                   FIRST THEY NEED TO ADD TO THESE  
6           PLANS. THEY NEED TO BE AMENDED SO THAT THERE  
7           IS THAT HIERARCHY SO THAT EVERYONE UNDERSTANDS  
8           THAT IT'S DISEASE FIRST AND DISEASE PRIMARILY,  
9           KNOWING VERY FAR DOWN THE LIST YOU GET TO  
10          HABITAT DEGRADATION AS A RESULT OF RECREATION.

11                  THE PLANS ALSO FAIL TO DISCLOSE THAT  
12          THERE IS ALMOST NO DATA DEMONSTRATING THAT OHV  
13          USE KILLS DESERT TORTOISES OR OTHERWISE  
14          DAMAGES DESERT TORTOISE HABITAT.

15                  PARTICULARLY THERE'S NO DATA SHOWING  
16          THAT THOSE HABITAT DEGRADATIONS OR DESERT  
17          TORTOISE KILLS OCCUR IN THOSE AREAS THAT ARE  
18          SLATED FOR CLOSURE.

19                  THERE IS ALSO NO EVIDENCE PRESENTED  
20          IN EITHER PLAN, THAT I WAS ABLE TO DISCERN,  
21          THAT OHV SPREAD EXOTIC PLANTS OR DAMAGED  
22          VEGETATION IN THE IMPLIED AREAS.

23                  WITHOUT THIS KIND OF INFORMATION THE  
24          PLANS CANNOT FUNCTION AS PART OF THE DESERT  
25          TORTOISE RECOVERY PLAN. BECAUSE THERE IS NO

1 CAUSAL LINK BETWEEN WHAT YOU ARE DOING IN THE  
2 PLANS AND WHAT IT IS YOU ARE HOPING TO ACHIEVE  
3 BY WAY OF DESERT TORTOISE RECOVERY.

4 WORST OF ALL, FROM MY CLIENTS'  
5 PERSPECTIVE, THE PLANS PROVIDE AN INADEQUATE  
6 ASSESSMENT OF THE IMPACTS ON RECREATION.

7 THE PLANS ARE WOEFULLY THIN WITH  
8 RESPECT TO IDENTIFYING THE NUMBER OF PERSONS  
9 AND FAMILIES AFFECTED BY THE PROPOSED  
10 CLOSURES.

11 THE PLANS ALSO FAIL TO DISCLOSE AND  
12 ASSESS THE FACT THAT WITH THESE CLOSURES MOST  
13 PEOPLE WILL BE PREVENTED FROM VISITING THEIR  
14 PREFERRED AREAS OF THE DESERT.

15 A LOT OF THE AREAS THAT PEOPLE LIKE  
16 TO GO TO CANNOT BE SAFELY OR PRACTICALLY  
17 ACCESSED WITHOUT AN OFF-ROAD VEHICLE.

18 THEY MAY NOT CHOOSE OFF-ROAD VEHICLE  
19 TOURING AS THEIR PRIMARY MEANS OF RECREATION,  
20 BUT TO JUST GET TO WHERE THEY WANT TO GO THEY  
21 HAVE GOT TO USE THESE ROADS, THEY HAVE TO USE  
22 THESE WASHES, AND YOU ARE CLOSING THEM. YOU  
23 ARE ESSENTIALLY KEEPING THEM OUT OF THE  
24 DESERT.

25 AND THAT IS ESPECIALLY TRUE FOR

1       THOSE PEOPLE WHO ARE CHILDREN, DISABLED,  
2       SENIOR CITIZENS.  THE DESERT WILL NO LONGER BE  
3       OPEN TO THEM.

4               THEY DON'T HAVE THE PHYSICAL ABILITY  
5       TO DO THE KIND OF BACKPACKING OR HIKING THAT  
6       WOULD OTHERWISE BE REQUIRED TO GET ACCESS TO  
7       THESE AREAS.

8               THE PLANS ARE ALSO DEFICIENT IN THAT  
9       THEY FAIL TO PROVIDE REALLY ANY FORM OF  
10      MITIGATION FOR RECREATION IMPACTS.

11              THEY ALSO FAIL TO PROVIDE DISCUSSION  
12      OF ALTERNATIVES THAT WOULD BE LESS IMPACTIVE  
13      TO RECREATION AND NEVERTHELESS STILL SEEK TO  
14      ACHIEVE THE GOALS OF THE PLAN.

15              THAT IS A REQUIREMENT UNDER NEPA  
16      THAT HAS NOT BEEN REALIZED IN THESE PLANS.

17              FINALLY, THE PLANS ARE ESPECIALLY  
18      DEFICIENT IN THAT THEY FAIL TO ASSESS THE  
19      CUMULATIVE IMPACTS ON RECREATION AND PUBLIC  
20      SAFETY, FOR NOT ONLY THE CLOSURES THAT THEY  
21      ARE IMPLEMENTING, BUT THE CLOSURES THAT HAVE  
22      BEEN IMPLEMENTED ALL THROUGHOUT THE CALIFORNIA  
23      DESERT.

24              JUST IN THE LAST TWO MONTHS THE  
25      BUREAU OF LAND MANAGEMENT HAS CLOSED MORE THAN



1       850,000 ACRES OF THE CALIFORNIA DESERT THAT  
2       USED TO BE OPEN TO MOTORIZED ACTIVITY.

3               NOWHERE IN NO DOCUMENT THAT BLM HAS  
4       EVER PRODUCED IS THAT CUMULATIVE IMPACT EVER  
5       DISCUSSED, DISCLOSED, ANALYZED OR MITIGATED.

6               WHAT IS MOST IRONIC ABOUT THESE  
7       PLANS, HOWEVER, IS THAT THERE IS A VERY GOOD  
8       CHANCE THAT IF IMPLEMENTED THESE PLANS WILL  
9       ACTUALLY HAVE A NEGATIVE IMPACT ON THE VERY  
10      SPECIES YOU ARE SEEKING TO PROTECT, AND THAT  
11      IS THE DESERT TORTOISE.

12              FIRST IT WILL HAVE A NEGATIVE IMPACT  
13      BECAUSE IT FAILS TO ADDRESS THE PRIMARY CAUSE  
14      OF DESERT TORTOISE MORTALITY. THAT IS  
15      DISEASE.

16              BUT MORE FUNDAMENTALLY, WHAT THIS  
17      PLAN ATTEMPTS TO DO, WHICH IS VERY COMMON WITH  
18      HABITAT CONSERVATION PLANS, IS IT TRIES TO  
19      CREATE LINKS IN CORRIDORS ALLOWING GENETIC  
20      TRANSMISSION BETWEEN DESERT TORTOISE  
21      POPULATIONS.

22              THAT'S A GREAT IDEA USUALLY, IF YOU  
23      WANT A SPECIES TO BE ABLE TO COMMUNICATE.  
24      IT'S NOT A GOOD IDEA WHEN YOU HAVE A SPECIES  
25      THAT IS BEING KILLED OFF WITH A HIGHLY-

1       CONTAGIOUS DISEASE.

2                   WHAT YOU ARE DOING IS WHILE  
3       ENCOURAGING GENETIC EXCHANGE, WHAT YOU ARE  
4       ACTUALLY ENCOURAGING IS DISEASE TRANSMISSION.  
5       THAT IS NOT AN IMPACT THAT IS ASSESSED IN  
6       EITHER PLAN OR EITHER EIS.

7                   BOTH PLANS ALSO FAIL TO ADDRESS  
8       RAVEN PREDATION IN A MEANINGFUL WAY.

9                   SO WHILE THE BLM AND FISH AND  
10      WILDLIFE SERVICE CONTINUE TO WASTE TIME AND  
11      MONEY ON LAND USE MANAGEMENT PLANS THAT HAVE  
12      NO HOPE, NO CHANCE OF HELPING THE DESERT  
13      TORTOISE, THE PUBLIC'S RIGHT TO ACCESS THESE  
14      AREAS ARE BEING REMOVED.

15                  THE BLM AND FISH AND WILDLIFE  
16      SERVICE ARE IGNORING THE TRUE CAUSE OF DESERT  
17      TORTOISE MORTALITY.

18                  THEY ARE NEGLECTING TO TAKE THE  
19      REASONABLE AND NECESSARY STEPS TO RECOVER THE  
20      DESERT TORTOISE.

21                  AND THROUGH THESE PLANS THEY ARE  
22      ACTUALLY FACILITATING THE DECLINE OF THE  
23      DESERT TORTOISE.  THESE PLANS WILL ALMOST  
24      ASSURE THAT.

25                  IN SHORT, AN ARGUMENT CAN BE MADE

1        THAT BLM AND THE FISH AND WILDLIFE SERVICE ARE  
2        IN VIOLATION OF SECTION 9 OF THE ENDANGERED  
3        SPECIES ACT BECAUSE THEY ARE FACILITATING THE  
4        FATE OF THE DESERT TORTOISE.

5                THESE PLANS NEED TO BE RADICALLY  
6        REVAMPED TO ADDRESS THE TRUE MEANS TO THE  
7        DESERT TORTOISE.    THE CURRENT PLANS MERELY  
8        CREATE IMPACTS FOR RECREATION WITH NO BENEFIT  
9        TO THE SPECIES.

10                AGAIN, THIS IS DEMONSTRATED  
11        HISTORICALLY.    IN THE LAST EIGHT YEARS THERE  
12        HAVE BEEN TREMENDOUS CLOSURES.    TREMENDOUS  
13        CREATION OF DESERT TORTOISE HABITAT.    AND EVEN  
14        IN THOSE AREAS WHERE THE HABITAT IS PRISTINE,  
15        THE DESERT TORTOISES ARE CRASHING.

16                LASTLY, I WOULD REQUEST THAT THE BLM  
17        MEET THEIR OBLIGATIONS UNDER NEPA AND UNDER  
18        THE ENDANGERED SPECIES ACT AND BASE EACH AND  
19        EVERY ONE OF THEIR DECISIONS, INCLUDING THOSE  
20        DECISIONS THAT GO INTO THESE PLANS, ON THE  
21        BEST AVAILABLE SCIENTIFIC AND COMMERCIAL DATA.

22                THERE HAS BEEN A GREAT DISCUSSION  
23        EARLIER TODAY ABOUT THE KINDS OF DATA THAT'S  
24        NECESSARY TO ASSESS GRAZING IMPACT ON THE  
25        DESERT TORTOISE.

1 I WOULD SIMPLY REITERATE THOSE  
2 POINTS AND APPLY THEM EQUALLY TO THE KINDS OF  
3 DATA THAT NEED TO BE DEVELOPED WITH RESPECT TO  
4 RECREATION IMPACTS.

5 I THINK WHAT YOU WILL FIND IS THAT  
6 THE RECREATION IMPACTS, IF THEY EXIST AT ALL,  
7 ARE TREMENDOUS AND THAT THE TRUE IMPACT OF  
8 DESERT TORTOISES RELATES TO DISEASE.

9 AND UNTIL YOU GET THAT UNDER CONTROL  
10 YOU CAN KICK EVERYONE OFF THE DESERT AND THE  
11 TORTOISES WILL STILL CRASH.

12 THANK YOU.

13 (AUDIENCE APPLAUSE.)

14 ILENE ANDERSON: JERE ALLAN,  
15 FOLLOWED BY JULIE ALLEN.

16 JERE ALLAN: MY NAME IS JERE ALLAN  
17 AND I REPRESENT THE RECREATION, SPORTS AND  
18 BUSINESS ASSOCIATION FROM BLYTHE, CALIFORNIA.

19 WE'RE THE NEW KIDS ON THE BLOCK, BUT  
20 I ASSURE YOU, YOU ARE GOING TO HEAR A LOT MORE  
21 FROM US.

22 ALL WE REALLY KNOW ABOUT THE DESERT  
23 TORTOISE IS THAT IT HAS A HEAD, FOUR LEGS, A  
24 TAIL, A SHELL, LIVES IN THE DESERT, DIES IN  
25 THE DESERT, AND THAT'S ABOUT IT, FROM WHAT WE

1 HAVE HEARD HERE TODAY.

2 AND THE FACT THAT THAT EARTHQUAKE  
3 HAPPENED A WHILE AGO JUST MAY BE SOMEBODY  
4 TRYING TO SEND US A MESSAGE TO LEAVE MOTHER  
5 NATURE ALONE AND LET HER HANDLE HER OWN  
6 BUSINESS.

7 OUR DESERT HAS ALREADY BEEN CLOSED  
8 DOWN. WE ARE UNDER THE TEMPORARY ORDER AND  
9 IT'S BEEN CLOSED.

10 AND THREE YOUNG LADIES WERE IN MY  
11 OFFICE ABOUT THREE WEEKS AGO. AND WE HAD AN  
12 OFF-ROAD RALLY AND THEY CAME IN AND WANTED TO  
13 HEAR OUR SIDE OF THE STORY.

14 SO I TOLD THEM OUR SIDE OF THE  
15 STORY.

16 I SAID, NOW, YOU TELL ME YOUR SIDE  
17 OF THE STORY.

18 AND THEY SAID, WELL, WE ARE OUT HERE  
19 CLOSING DOWN THE DESERT.

20 AND I SAID, WELL, WHO DO YOU  
21 REPRESENT?

22 AND THEY SAID WE REPRESENT THE  
23 STUDENT CONSERVATION ASSOCIATION, INCORPORATED  
24 WHICH COMES FROM -- WHICH IS HOME BASED IN NEW  
25 HAMPSHIRE.

1                   AND I SAID, WELL, THAT'S FINE.

2       WHERE ARE YOU FROM?

3                   AND ONE OF THEM SAYS, WELL, I AM  
4       FROM CANYON, TEXAS AND ANOTHER ONE SAYS I'M  
5       FROM ALBUQUERQUE, NEW MEXICO AND THE OTHER ONE  
6       SAYS I AM FROM NORTH CAROLINA.

7                   AND I SAID, WELL, WHY AREN'T YOU  
8       HOME DIGGING IN YOUR OWN BACK YARD AND LEAVING  
9       OURS ALONE?

10                  AND SO COME TO FIND OUT THEY ARE  
11       UNDER CONTRACT BY THE BLM OUT OF THE PALM  
12       SPRINGS OFFICE. AND THEIR JOB IS TO DIG  
13       TRENCHES ACROSS THE ROADS AND TO STOP TRAFFIC  
14       AND TO ROLL BOULDERS IN THE WASHES TO CLOSE  
15       OFF THE WASHES.

16                  AND IN OUR AREA THAT'S EXACTLY  
17       WHAT'S BEING DONE.

18                  THEY WERE CAMPED OUT THERE FOR ABOUT  
19       THREE WEEKS. AND I SAID YOU GIRLS DON'T EVEN  
20       KNOW ANYTHING ABOUT THE DESERT.

21                  AND I WAS TOLD, OH, YES, I DO. WE  
22       HAVE CAMPED OUT THERE FOR THREE WEEKS AND WE  
23       KNOW ALL ABOUT IT.

24                  I HAVE LIVED THERE FOR 33 YEARS AND  
25       I DON'T KNOW ANYTHING ABOUT IT.

1                   SO THEY ARE A LOT SMARTER THAN ME.

2           BUT ANYWAY, LET'S GO ON.

3                   WE HEAR THE OLD EUPHEMISM THAT WE  
4           ARE GOING TO CLOSE THIS AND SAVE IT FOR FUTURE  
5           GENERATIONS.

6                   FUTURE GENERATIONS ARE LIKE  
7           TOMORROW, LADIES AND GENTLEMEN.

8                   ILENE ANDERSON:  MR. ALLAN, IF YOU  
9           CAN WRAP IT UP, THANK YOU.

10                  JERE ALLAN:  I WILL DO THAT.

11                  FUTURE GENERATIONS ARE LIKE  
12          TOMORROW.  IT NEVER COMES.

13                  THE FUTURE GENERATION IS THE NOW  
14          GENERATION AND THE NOW GENERATION.  SO THESE  
15          THINGS THAT ARE CLOSED WILL NEVER BE OPEN,  
16          FROM WHAT WE ARE HEARING HERE TODAY.

17                  SO WE ARE OPPOSED TO CLOSING ANY  
18          MORE OF THE DESERT LAND.  IN FACT, WE WOULD  
19          LIKE TO SEE THIS -- MORE OF IT OPENED UP --  
20          THE WILDERNESS AREA OPENED UP FOR THE USE THAT  
21          WE HAVE HAD FOR IT FOR THE LAST HUNDREDS OF  
22          YEARS.

23                  (AUDIENCE APPLAUSE.)

24                  ILENE ANDERSON:  NEXT IS JULIE  
25          ALLEN, FOLLOWED BY SUE COLERUS.

1                   JULIE ALLEN:  HI.  MY NAME IS JULIE  
2   ALLEN.  I AM THE VICE CHAIR OF THE SAN DIEGO  
3   OFF-ROAD COALITION.

4                   THE FIRST THING I WOULD LIKE TO ASK  
5   IS, IS THERE A TURTLE DOCTOR IN THE HOUSE?

6                   WITH ALL DUE RESPECT TO DAVID  
7   HUBBARD AND ALL THE MONEY THAT WE PAY HIM, I  
8   THINK I WOULD MUCH RATHER PAY A TURTLE  
9   PHARMACIST AND GET SOME TURTLE PILLS AND SOME  
10  TURTLE SHOTS.

11                  I MEAN, IT REALLY SOUNDS LIKE THAT'S  
12  WHAT YOU NEED OR THAT'S WHAT WE NEED.  AND THE  
13  FACT THAT THIS WHOLE LAND MANAGEMENT PLAN IS  
14  BASED ON A SICK TURTLE IS SICK.

15                  GOD, LET ME SEE.

16                  I WAS A LITTLE DISAPPOINTED TODAY TO  
17  SEE THAT THE COOPERATORS THAT GAVE THEIR  
18  REPORTS TODAY THAT HELPED WITH THE NEMO AND  
19  NECO WRITE-UP WERE A PLANT SOCIETY AND A  
20  WILDLIFE GUY.

21                  AND I DIDN'T SEE ANY RECREATION  
22  COOPERATORS HERE THAT HAD ANY INPUT IN THE  
23  PLAN.  AND I THINK THAT WAS A BAD IDEA.

24                  THE WILDLIFE GUY ADMITTED EVEN THAT  
25  HE ONLY REVIEWED THE PARTS OF THE NEMO THAT HE



1 WAS INTERESTED IN. SO HE DIDN'T EVEN CONSIDER  
2 THE DOCUMENT AS A WHOLE, WHICH I WOULD THINK  
3 THAT SOMEONE COOPERATING IN WRITING A DOCUMENT  
4 WOULD LOOK AT THE THING AS A WHOLE.

5 WITH REGARD TO YOUR TRIP YESTERDAY I  
6 WAS WONDERING IF ANY OF YOU DID ANY HIKING IN  
7 THE DUNES. YOU KNOW, ALL OF THESE GREEN-LEAF  
8 PEOPLE SAY THAT THAT'S, YOU KNOW, WHAT THEY  
9 NEED TO SAVE IT FROM US FOR IS TO GO OUT THERE  
10 AND DO HIKING.

11 AND I SUBMIT TO YOU THAT YOU CANNOT  
12 HIKE OUT THERE. YOU HIKE UP ONE OF THOSE  
13 DUNES AND YOU ARE WORN OUT.

14 THE ONLY WAY THAT WE CAN ENJOY THAT  
15 AREA OF THE DESERT IS BY VEHICLE. AND I HOPE  
16 THAT YOU REALIZE THAT.

17 I WILL CLOSE UP HERE BY SAYING --  
18 OH, ONE MORE THING.

19 THERE'S A SCIENTIST EARLIER WHO SAID  
20 THAT HE SPENT ALL OF TWO WEEKS AND TWO DAYS  
21 REVIEWING THE PLAN -- HIS INPUT ON THE PLAN.

22 THAT MADE A LOT OF SENSE TO ME,  
23 SINCE THAT SEEMS TO BE ABOUT AS MUCH SCIENCE  
24 AS THE BLM CAN HANDLE.

25 LASTLY, I JUST WANT TO SAY THAT THE

1       ELEVEN OF YOU HAVE DONE -- HAVE EXPRESSED I  
2       THINK REALLY WHAT THE PUBLIC WANTS.  WHAT THE  
3       -- WHAT WE WANT, WHAT THE USERS WANT, AND SO  
4       FORTH.

5               AND I REALLY PRAY AND HOPE THAT THE  
6       BLM WILL LISTEN TO YOU THIS TIME.

7               IT'S NOT JUST ELEVEN OF YOU.  YOU  
8       REPRESENT THOUSANDS AND THOUSANDS OF US.

9               AND WE REALLY APPRECIATE YOUR  
10      INSIGHT AND YOUR SMARTS IN GETTING DOWN TO  
11      WHAT'S REALLY IMPORTANT.

12              THANK YOU.

13              (AUDIENCE APPLAUSE.)

14              ILENE ANDERSON:  SUE COLERUS,  
15      FOLLOWED BY MARY PLACA.

16              SUE COLERUS:  HI.  MY NAME IS SUE  
17      COLERUS, C-O-L-E-R-U-S.  I AM FROM --

18              ILENE ANDERSON:  SORRY ABOUT THE  
19      MISPRONUNCIATION.

20              SUE COLERUS:  OH, THAT'S OKAY.

21              I AM FROM BLYTHE, CALIFORNIA.  AND  
22      EVERYTHING THAT JERE SAID IS TRUE.  THEY ARE  
23      CLOSING DOWN SO MANY OF THE ROADS THAT WEREN'T  
24      EVEN SUPPOSED TO BE CLOSED AT THAT DATE AND  
25      TIME.

1                   AND WHAT I AM HERE REPRESENTING IS  
2           BASICALLY, WE HAVE RAISED OUR FAMILY IN THE  
3           DESERT, ON THE RIVER. WE HUNT, WE FISH AND WE  
4           DO A LOT OF HORSEBACK RIDING THERE.

5                   I BELONG TO A HORSEBACK RIDING  
6           GROUP. WE PUT ON A RIDE EVERY YEAR. NORTH  
7           ONE YEAR, SOUTH THE NEXT.

8                   WE PUT IN FOR A PERMIT; BLM GROUND.  
9           WE WERE DENIED MILPITAS WASH AREA.

10                  WE PUT IN A PERMIT APPLICATION FOR  
11          CIBOLA AREA. WE ARE APPROVED FOR THAT AREA.  
12          WE HAVE TO BAG OUR HORSE SHIT WAS OUR  
13          STIPULATION. WE HAVE HAD TO DO THAT BEFORE.

14                  WE ARE A NONPROFIT ORGANIZATION. WE  
15          PAY ABOUT \$1,200.00 TO THE BLM. THAT MONEY  
16          GOES TO WHAT, I DON'T KNOW.

17                  BUT WE PAY 1,200.00 TO THE BLM. AND  
18          THIS YEAR WE HAVE \$1,000.00 IN EXPENSE FOR THE  
19          DUMPSTER SO THAT WE CAN HAUL THE HORSE SHIT  
20          OFF.

21                  ALL OF OUR MONEY GOES AS OUR PROFIT.  
22          THIS YEAR IT'S GOING TO BE A RED, WHITE AND  
23          BLUE THEME. OUR PROFIT IS GOING TO NEW YORK.  
24          IT GOES TO SOBER GRAD IN BLYTHE. IT GOES TO  
25          THE 4-H CLUBS. AND IT ALSO GOES TO THE

1 COLORADO COUNTRY FAIRGROUNDS THAT HAS AN ARENA  
2 THERE FOR THE 4-H KIDS TO RIDE IN.

3 LET ME SEE WHAT I AM LEAVING OUT.

4 OH, TALKING ABOUT CLOSING ROADS THAT  
5 HAVEN'T BEEN USED MUCH. THEN PROBABLY YOU  
6 SHOULD CLOSE ALL OF GLAMIS. BECAUSE RIGHT NOW  
7 IF YOU DRIVE THROUGH THERE BECAUSE OF THE WIND  
8 THERE IS NO TRACKS. SO YOU CAN'T EVEN SEE  
9 THAT SOMEBODY HAS BEEN DRIVING OUT THERE.

10 AND THAT'S KIND OF UNTRUE. BUT THE  
11 DESERT HAS ITS OWN RECOVERY SYSTEM. THAT JUST  
12 BECAUSE YOU OR YOU OR YOU CHOOSE NOT TO USE  
13 THAT ROAD, IT DOESN'T MEAN THAT WE DON'T WANT  
14 TO TAKE OR HORSES ON THAT ROAD. AND THAT  
15 MIGHT BE EXACTLY WHERE WE WANT TO GO.

16 AND LET'S SEE.

17 OH, ALSO, I DON'T KNOW WHEN YOU ARE  
18 DOING THESE STUDIES ON THE TURTLE AND THE  
19 TORTOISE AND WHEN YOU ARE COUNTING THEM OR  
20 WHOEVER IS COUNTING THEM.

21 WHEN THE OFF-ROAD USE AND THE  
22 HORSEBACK RIDERS ARE OUT THERE, IT'S USUALLY  
23 DURING THE MONTHS THROUGH, OH, THE END OF  
24 SEPTEMBER, OCTOBER AND ALL THE WAY THROUGH  
25 MAYBE FEBRUARY, MARCH.

1                   I OWN A TURTLE. SHE IS ABOUT 68  
2       YEARS OLD. SHE HIBERNATES IN OCTOBER. SHE  
3       DOESN'T COME OUT UNTIL THE END OF FEBRUARY,  
4       FIRST OF MARCH.

5                   SO ALL THIS TIME THAT WE ARE OUT  
6       RIDING AROUND KILLING AND RUNNING OVER ALL  
7       THESE TURTLES, THEY ARE ACTUALLY HIBERNATING.

8                   SO I AM KIND OF CONFUSED ON THAT.

9                   I WILL MAKE IT REALLY QUICK.

10                  I JUST WANT TO TELL YOU THAT WHEN I  
11       GOT HERE TODAY I THOUGHT I WAS GOING TO BE UP  
12       HERE TALKING TO PEOPLE WITH DEAF EARS THAT  
13       DIDN'T UNDERSTAND A WORD I WOULD HAVE TO SAY.

14                  AND I MUST TELL YOU I AM REALLY  
15       IMPRESSED. I HAVE A TOTAL CHANGE OF HEART  
16       ABOUT THIS WHOLE COUNCIL AND I REALLY HOPE  
17       THAT BLM DOES LISTEN TO WHAT YOU'VE HAD TO  
18       LISTEN TO AND HAVE TO SAY.

19                  THANKS.

20                  (AUDIENCE APPLAUSE.)

21                  ILENE ANDERSON: MARY PLACA,  
22       FOLLOWED BY GERRY HILLIER.

23                  MARY, RONNIE, ARE YOU STILL OUT  
24       THERE? NO?

25                  OKAY. GERRY HILLIER, FOLLOWED BY

1 TIM NOWAK.

2 GERRY HILLIER: GOOD AFTERNOON. IT  
3 HAS BEEN A LONG DAY FOR EVERYBODY HERE, SO I  
4 WILL TRY TO BE BRIEFER THAN I INTENDED TO BE.

5 I AM HERE TODAY REALLY WITH TWO  
6 HATS. FIRST IN MY ROLE AS BEING A CONSULTANT  
7 TO SAN BERNARDINO COUNTY AND MY SECOND AS  
8 EXECUTIVE DIRECTOR OF QUAD STATE COUNTY  
9 GOVERNMENT COALITION.

10 SAN BERNARDINO COUNTY DID SUBMIT  
11 COMMENTS ON THE PLAN AND I WON'T REPEAT THERE  
12 THEN, BUT I DO WANT TO AUGMENT A COUPLE OF  
13 THOSE COMMENTS.

14 DURING THE PLANNING PROCESS I, TOO,  
15 SERVED ON THE GROUP THERE THAT MADE INPUT ON  
16 THE NECO PLAN AND ATTENDED DOZENS OF MEETINGS  
17 WITH THE STAFF AND ALL.

18 AND I PLED WITH DICK TO CONSIDER  
19 BOTH A MANAGEMENT ALTERNATIVE AT SOME PLACE IN  
20 THE PLAN AND THE NO-ACTION ALTERNATIVE. TO  
21 GIVE MORE THAN SHORT STRIPS TO THE NO-ACTION  
22 ALTERNATIVE.

23 BECAUSE NECO, CERTAINLY AS FAR AS  
24 THE SAN BERNARDINO COUNTY AND THE CHEMEHUEVI  
25 VALLEY, IS AN AREA THAT VERY LITTLE IS GOING

1       ON IN.  THERE IS VERY LITTLE HUMAN INTRUSION  
2       ON THE TORTOISE HABITAT.

3               AND THOSE -- THAT INPUT WAS IGNORED  
4       AND THEY WENT AHEAD THEN WITH THE RECOVERY  
5       PLAN.

6               RELATIVE TO THE RECOVERY PLAN, WE  
7       FEEL -- AND THIS IS MY QUAD STATE HAT -- WE DO  
8       FEEL THAT IT IS FLAWED.

9               THE BLM AND -- NOT BLM -- FISH AND  
10       WILDLIFE SERVICE HAS NOT CARRIED OUT ITS  
11       COMMITMENT TO REVIEW THAT IN THE THREE TO FIVE  
12       YEARS.

13              THAT THE SCIENCE HAS CHANGED, THE  
14       SCIENCE HAS MOVED ON, THE PRACTICE HAS MOVED  
15       ON, AND IT DOES NEED TO HAVE ANOTHER LOOK.

16              THE OTHER THING IS WHEN THE RECOVERY  
17       PLAN WAS DEVELOPED MOST PEOPLE DIDN'T KNOW  
18       WHAT ITS EFFECT WAS GOING TO BE.  AND SO MANY  
19       OF THE TIMES THAT THEY MET THERE WASN'T  
20       ANYBODY THERE.

21              I THINK NOW PEOPLE WOULD BE  
22       INTERESTED ENOUGH AND COULD MAKE DIRECT INPUT.

23              SENATOR BENNETT ASKED LAST YEAR,  
24       SPECIFICALLY IN THE APPROPRIATIONS PROCESS,  
25       THAT FISH AND WILDLIFE EXPLAIN WHY THEY

1 HADN'T.

2 TO DATE THE FISH AND WILDLIFE  
3 SERVICE HAS CHOSEN NOT EVEN TO RESPOND TO THE  
4 SENATOR.

5 SENATOR BENNETT ALSO LAST YEAR  
6 SPECIFICALLY ASKED FISH AND WILDLIFE FOR A  
7 COMPLETE REPORT ON MONITORING.

8 TO DATE FISH AND WILDLIFE SERVICE  
9 HAS NOT RESPONDED TO THAT REQUEST AT ALL.

10 AND --

11 ILENE ANDERSON: MR. HILLIER, COULD  
12 YOU PLEASE WRAP IT UP?

13 GERRY HILLIER: I AM GOING TO. I AM  
14 GOING TO WRAP IT UP HERE IN JUST A MINUTE.

15 IT'S EXTREMELY IMPORTANT THAT THIS  
16 PLAN NOT MOVE AHEAD -- OR NEITHER OF THESE  
17 PLANS MOVE AHEAD UNTIL THERE HAS BEEN  
18 RESOLUTION OF THOSE ISSUES.

19 I WANT TO CLOSE BY SAYING HERE THAT  
20 CONGRESS IS INTERESTED AND HAS LAUNCHED WITHIN  
21 THE LAST MONTH A FULL GENERAL ACCOUNTING  
22 OFFICE AUDIT OF THE DESERT TORTOISE PROGRAMS,  
23 HOW THE MONEY HAS BEEN SPENT, AND WHETHER WHAT  
24 WE ESTIMATE 200 MILLION OR SO THAT'S BEEN  
25 SPENT FOR DESERT TORTOISE RECOVERY HAS IN FACT



1 RECOVERED A SINGLE ANIMAL.

2 AND WE HOPE THAT BLM AND THE OTHER  
3 AGENCIES WILL COOPERATE WITH THAT AND THAT NO  
4 PLANS BE IMPLEMENTED UNTIL THE RESULTS OF THAT  
5 STUDY ARE KNOWN AND MADE PUBLIC.

6 (AUDIENCE APPLAUSE.)

7 ILENE ANDERSON: TIM NOWAK,  
8 FOLLOWED BY ALEX NEIBERGS.

9 TIM NOWAK: MY NAME IS TIM NOWAK. I  
10 REPRESENT MULTIPLE USE.

11 COUNCIL, MR. SALT.

12 THE IMPORTANT PART OF THIS PROCESS  
13 WAS TO DEVELOP THESE PLANS, THE NECO AND THE  
14 NEMO, WITH COOPERATION AND TRUST BETWEEN THE  
15 PARTIES INVOLVED.

16 THE MULTIPLE USE GROUPS I BELIEVE  
17 HAVE FULLY COOPERATED WITH THE PROCESS.

18 BUT, MR. SALT, THE BLM HAS LOST OUR  
19 TRUST.

20 ALL AGENCIES ARE GOVERNED BY RULES  
21 AND REGULATIONS.

22 IF THE BLM HAD BEEN COMPETENT AND  
23 DONE THEIR CONSULTATIONS WITH THE FISH AND  
24 WILDLIFE SERVICE TO BEGIN WITH, THE CBD  
25 LAWSUIT WOULD NOT HAVE COME ABOUT.

1                   WHEN THEY CHOOSE TO IGNORE JUDGE  
2           ALSUPS ORDER AND ILLEGALLY ASSERT AUTHORITY  
3           FOR MORE AGENCY ACTIONS RESULTING IN MORE  
4           CLOSURES, AND THEN THEREFORE BRING MORE DESERT  
5           LAWSUITS TO CHALLENGE THE CLOSURES, THEY STILL  
6           EXPECT US TO FOLLOW THE RULES IN THE PLANNING  
7           PROCESS.

8                   MR. SALT, THERE HAS ALSO BEEN RECENT  
9           REPORTS OF YOUR INVOLVEMENT AS AREA MANAGER IN  
10          LAS CRUCES IN REGARD TO THE RESOURCE  
11          MANAGEMENT PLAN THERE.

12                   ILENE ANDERSON: YOU KNOW, THIS IS  
13          NOTHING THAT THE COUNCIL CAN REALLY DO  
14          ANYTHING ABOUT.

15                   TIM NOWAK: I HAVE A POINT TO MAKE.  
16          PLEASE LET ME FINISH.

17                   WHAT YOU ADMITTED, THE CONTRACTING  
18          WITH THE NATURE CONSERVANCY TO DO THE  
19          BIOLOGICAL INVENTORY, WHICH APPEARED TO BE A  
20          CONFLICT OF INTEREST, BUT STILL ALLOWED THEIR  
21          INPUT TO REMAIN IN THE FULL REPORT, MULTIPLE  
22          USE GROUPS NEED TO KNOW THAT THE BLM WILL BE  
23          FAIR AND CAN BE TRUSTED.

24                   WE HOPE THAT THE OUTCOME OF THESE  
25          PLANS HAS NOT BEEN PREDETERMINED.

1 MR. SALT, I ASK YOU, WHAT ARE YOU  
2 GOING TO DO TO GAIN OUR TRUST?

3 (AUDIENCE APPLAUSE.)

4 ILENE ANDERSON: ALEX NEIBERGS,  
5 FOLLOWED BY DAVE THORNTON.

6 ALEX NEIBERGS: MADAM CHAIR AND  
7 COUNCIL MEMBERS, I AM ALEX NEIBERGS SPELLED  
8 N-E-I-B-E-R-G-S.

9 I AM THE WILD HORSE AND BURRO  
10 SPECIALIST OUT OF THE RIDGECREST FIELD OFFICE  
11 FOR THE BUREAU OF LAND MANAGEMENT.

12 AND I WOULD JUST LIKE TO TAKE THIS  
13 MOMENT TO SAY THANK YOU TO DAVE THORNTON FOR  
14 HIS CONTINUED ASSISTANCE IN WATER TRAPPING  
15 BURROS ON THE CLARK MOUNTAIN HERD MANAGEMENT  
16 AREA AND TO THE CHEMEHUEVI INDIAN TRIBE FOR  
17 THEIR COORDINATION AND ASSISTANCE IN OUR LAST  
18 REMOVAL A WEEK AND A HALF AGO ON THE  
19 CHEMEHUEVI BURRO PROGRAM MANAGEMENT AREA.

20 AND I WOULD ALSO LIKE TO SAY THANKS  
21 TO THE CALIFORNIA DEPARTMENT OF FISH AND GAME,  
22 DESERT WILDLIFE UNLIMITED, CALIFORNIA STATE  
23 PARKS, U.S. FISH AND WILDLIFE SERVICE AND  
24 ARIZONA BLM IN ASSISTING ON THE CURRENT  
25 STUDIES TAKING PLACE IN THE CHOCOLATE MULE

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1 MOUNTAIN BURRO HERD MANAGEMENT AREA DEVELOPING  
2 STRATEGIES FOR MANAGEMENT UNDER THE PRINCIPLES  
3 OF MULTIPLE USE AND SUSTAINED YIELDS.

4 AND THANK YOU FOR ASSISTING THE BLM  
5 IN DEVELOPING STRATEGIES FOR THE LAST FEW  
6 REMAINING HERD MANAGEMENT AREAS IN THE  
7 CALIFORNIA DESERT CONSERVATION AREA. AND  
8 POSSIBLY TO INCLUDE DONKEYS AND THE GRAZING  
9 STUDIES FOR THE CLARK MOUNTAIN HERD MANAGEMENT  
10 AREA WHICH IS WITHIN THE VALLEY WELLS  
11 ALLOTMENT.

12 THANKS.

13 ILENE ANDERSON: DAVE THORNTON,  
14 FOLLOWED BY JERI FERGUSON.

15 DAVE THORNTON: I'M ALL THROUGH.

16 ILENE ANDERSON: JERI FERFUSON,  
17 FOLLOWED BY MARK HARMS.

18 JERI FERGUSON: HI. MY NAME IS JERI  
19 FERGUSON, F-E-R-G-U-S-O-N. I REPRESENT THE  
20 CALIFORNIA ASSOCIATION FOUR-WHEEL DRIVE CLUB.

21 I HAVE A FEW COMMENTS ON THE NECO  
22 AND NEMO PLAN.

23 FIRST THE ROUTES.

24 CALIFORNIA FOUR-WHEEL CLUB HAS SPENT  
25 THOUSANDS OF DOLLARS ON THE PROPOSED ROUTES TO

1 BE CLOSED. WE FOUND NUMEROUS INCONSISTENCIES.

2 AND WHAT WAS ON THE GROUND WASN'T ON  
3 THE MAPS OR THEIR CRITERIA WAS NOT ACTUALLY --  
4 DIDN'T WORK OUT THE SAME WAY.

5 OUR POSITION IS THAT EACH ROUTE  
6 SHOULD HAVE A SUBSTANTIAL DATA TO PROVE THAT  
7 STUDIES AND MONITORING HAVE BEEN DONE TO PROVE  
8 THAT THERE IS DAMAGE -- OR, I AM SORRY, IMPACT  
9 TO THE SPECIES BY VEHICLES.

10 ON DUNES THERE WAS ALREADY THREE-  
11 QUARTERS OF THE DUNE SYSTEMS CLOSED THROUGH  
12 THE CDPA PLAN BACK IN 1980 AND ALSO THROUGH  
13 THE S-21 BILL.

14 THE ONES THAT WERE LEFT OPEN WERE  
15 DUMONT WELLS, IMPERIAL AND ATLANTIA.

16 SO IT SEEMS TO ME THAT THE ONES THAT  
17 DID GET CLOSED DO PROTECT WHATEVER IT IS THAT  
18 NEEDS TO BE PROTECTED IN THOSE AREAS, SO WHY  
19 IS THAT RIGHT NOW BEING TARGETED.

20 WASHES. THE WASHES SHOULD BE  
21 INVENTORIED. THIS IS NOT A PUBLIC PROCESS IF  
22 IT'S JUST DONE IN BLANKET CLOSURES.

23 WITHOUT THE INVENTORY HOW DO YOU  
24 KNOW WHICH ROUTES ARE BEING USED OUT THERE AND  
25 WHICH ONES NEED TO BE CLOSED.

1                   AND LAST, BUT NOT LEAST, I AM GOING  
2                   TO COMMENT ON BOB'S COMMENT ABOUT NO MAPS OR  
3                   ROUTES FOR SUV'S OR TYPICAL FOUR-WHEELING AND  
4                   EVERYTHING LIKE THAT.

5                   THERE WAS A BACKCOUNTRY DISCOVERY  
6                   TRAIL PROGRAM SET UP THROUGH THE STATE  
7                   DIVISION FOR THE WHOLE STATE OF CALIFORNIA.  
8                   THE SIERRA CLUB HAS PUBLICLY OPPOSED THAT.

9                   ALL WE WANT TO DO IS DESIGNATE  
10                  ROUTES THAT ARE ALREADY EXISTING. AND THEY  
11                  WERE EVEN PROPOSED OPEN ON THE NECO AND NEMO  
12                  MAPS. AND THE SIERRA CLUB IS OPPOSING THAT.

13                  SO RIGHT NOW EVERYTHING IS AT A  
14                  STANDSTILL ON THAT.

15                  THANK YOU.

16                  (AUDIENCE APPLAUSE.)

17                  ILENE ANDERSON: MARK HARMS.

18                  MARK HARMS: MY NAME IS MARK HARMS,  
19                  H-A-R-M-S.

20                  I REPRESENT MY COMPANY SAND TIRES  
21                  LIMITED. I AM ALSO ON THE BOARD OF DIRECTORS  
22                  FOR THE AMERICAN SAND ASSOCIATION.

23                  AND I HAVE TO SAY IT'S STILL A  
24                  PLEASURE TO COME TO THESE AND REALIZE THAT  
25                  COMMON SENSE STILL DOES RULE THIS BOARD. IT

1 SEEMS TO BE THE MAJORITY WITH RESPECT TO THE  
2 OPINION I HAVE BEEN HEARING ALL DAY.

3 I THINK WHAT I HAVE BEEN HEARING  
4 HERE IS THAT THE ENVIRONMENTALISTS IN THIS  
5 COUNTRY SEEM TO BE HELD AT A DIFFERENT BAR  
6 THAN THE MULTIPLE USE USERS.

7 IT APPEARS THAT TO GET SOMETHING  
8 CLOSED OR TO GET SOMETHING LISTED THEY ARE  
9 HELD TO A MUCH LOWER BAR THAN TO THOSE OF US  
10 THAT WANT TO USE THE AREAS BECAUSE WE ARE HELD  
11 TO A MUCH HIGHER BAR.

12 IT'S NOT UNLIKE A DEMOCRATIC  
13 PRESIDENT LIKE WE JUST HAD. I SUPPOSE THAT --  
14 I SUPPOSE THAT IF PRESIDENT BUSH WERE TO DO  
15 SOME OF THE THINGS THAT PRESIDENT CLINTON DID  
16 THAT HE WOULD PROBABLY BE IMPEACHED, BECAUSE  
17 THEY ARE HELD AT DIFFERENT BARS.

18 I THINK THAT THE BURDEN OF PROOF  
19 WITH RESPECT TO ANY CLOSURES TO THE ROADS WITH  
20 RESPECT TO ANY SPECIES AND THE CONSIDERATIONS  
21 THERE MIGHT BE WITH RESPECT TO THAT SPECIES, I  
22 THINK THERE SHOULD BE AN EQUAL BAR HELD ON  
23 BOTH OF THOSE.

24 IT APPEARS SOMETIMES THAT THERE IS A  
25 BAR THAT WE AS MULTIPLE USE USERS, OFF-ROAD

1 PEOPLE, HORSEMEN, SOMETIMES WE ARE HELD TO A  
2 BAR THAT WE CAN'T REACH. THEY JUST MAKE IT  
3 THAT DIFFICULT.

4 AN EXAMPLE IS THE CLOSURE IN THE  
5 DUNES, THE 49,000 ACRES. THERE WAS NO BAR.  
6 THEY WERE ABLE TO CLOSE THAT WITHOUT THEIR  
7 HAVING TO MEET ANY BAR THAT THAT PLANT WAS  
8 ENDANGERED AT ALL.

9 WE ARE HAVING TO SPEND WELL OVER  
10 \$100,000.00, WITH A LOT OF EFFORT FROM  
11 VOLUNTEERS, TO GET THAT 49,000 ACRES BACK.

12 AND TO ME THAT'S TOTALLY UNFAIR.

13 I THINK WHAT WE HAVE HERE IS WHAT WE  
14 HAD SIMILAR TO THE O.J. TRIAL. I THINK THAT  
15 THAT WAS A TRIAL BY DISTRACTION. AND I SAY  
16 THE SAME THING WITH RESPECT TO THIS  
17 ENVIRONMENTAL MOVEMENT. IT'S A MOVEMENT BY  
18 DISTRACTION.

19 WHAT THE ULTIMATE GOAL IS IS  
20 CLOSURE. THE DISTRACTION IS THE TORTOISE OR  
21 ITS HEALTH. THE DISTRACTION IS A PLANT THAT  
22 ISN'T ENDANGERED OR THREATENED. THESE ARE THE  
23 DISTRACTIONS TO GET WHAT ULTIMATELY THEY WANT,  
24 AND THAT'S CLOSURE.

25 I SUSPECT THAT IF THE BURDEN WERE



1       REQUIRED SUCH AS YOUR HAVING TO GIVE US  
2       WHATEVER YOU CLOSE SOMETHING EQUAL IN RETURN,  
3       I'D TEND TO THINK YOU WOULD LOOK AT YOUR  
4       BALLOT A LITTLE DIFFERENTLY.

5                THANK YOU.

6                (AUDIENCE APPLAUSE.)

7                ILENE ANDERSON:  THAT CONCLUDES THE  
8       PUBLIC COMMENTS AND I WILL ASK THE COUNCIL --

9                VICKI WARREN:  WAIT A MINUTE, WAIT A  
10      MINUTE.  I AM SORRY, BUT I SUBMITTED A PACKET  
11      SAYING THAT I WOULD HAVE A MOMENT WITH YOU  
12      GUYS.  I JUST CONFIRMED IT WITH DORAN SANCHEZ.  
13      ARE YOU SAYING THAT YOU DID NOT GET THAT?

14              ILENE ANDERSON:  WHAT I HAD YOUR  
15      PACKET FROM WAS FOR COMMENTS ON THINGS NOT ON  
16      THE AGENDA.

17              VICKI WARREN:  RIGHT.

18              ILENE ANDERSON:  I AM SORRY.  SO WE  
19      ARE GOING TO TAKE THAT IN A SEPARATE PUBLIC  
20      COMMENT.

21              VICKI WARREN:  THAT'S NOT WHAT THIS  
22      IS NOW?  I MISUNDERSTOOD THEN?

23              ILENE ANDERSON:  THAT'S CORRECT.  I  
24      WAS CONFUSED TO BEGIN WITH AND CLARIFIED THAT  
25      THIS WAS TO BE COMMENTS FOR NEMO, NECO.

1 VICKI WARREN: OKAY. OKAY. SO WE  
2 WILL GET A CHANCE THEN?

3 ILENE ANDERSON: YES. THERE WILL BE  
4 AN ADDITIONAL PUBLIC COMMENT FOR THINGS NOT ON  
5 THE AGENDA.

6 MOLLY.

7 MOLLY BRADY: MIKE FREEMAN WAS ON  
8 NEMO, NECO.

9 ILENE ANDERSON: OH, OKAY. I WASN'T  
10 SURE WHAT THAT WAS. IT DIDN'T SAY HERE. IT  
11 JUST SAID MOLLY.

12 OKAY, MIKE FREEMAN.

13 MOLLY BRADY: AND I AM GOING TO  
14 INTRODUCE THIS ONE. AND ANYBODY ELSE THAT  
15 WANTS TO BE INTRODUCED, I WILL INTRODUCE THEM.

16 BUT I DID A REQUEST THAT MIKE COME  
17 HERE AND MAKE THIS PRESENTATION TO YOU TODAY  
18 ON A PROPOSAL WHICH IS CURRENTLY BEFORE ME.

19 THIS PROPOSAL IS AT THE PRESENT TIME  
20 PROHIBITED UNDER CURRENT POLICY AND IT ALSO IS  
21 PROHIBITED IN THE PROPOSED PREFERRED  
22 ALTERNATIVE OF THE NEMO PLAN BECAUSE IT  
23 INVOLVES THE DISPOSAL OF CRITICAL PUBLIC -- OR  
24 CRITICAL DESERT TORTOISE HABITAT OR IT IS IN A  
25 PROPOSED DWMA.

1 I WOULD LIKE TO, BEFORE HE MAKES HIS  
2 PRESENTATION, BECAUSE I DON'T THINK HE EVEN  
3 KNEW THIS, READ TO YOU THOSE TWO FACTS OR  
4 CONSIDERATIONS FROM THE MUCH MALIGNED RECOVERY  
5 PLAN FOR THE DESERT TORTOISE.

6 ONE, THAT AMONG THE FOLLOWING  
7 ACTIVITIES THAT ARE COMPATIBLE WITH TORTOISE  
8 RECOVERY AND MAY BE ALLOWED IN DWMAS IS THE  
9 FOLLOWING:

10 SURFACE DISTURBANCES THAT ENHANCE  
11 THE QUALITY OF HABITAT FOR WILDLIFE, ENHANCE  
12 WATERSHED PROTECTION OR IMPROVE OPPORTUNITIES  
13 FOR NONMOTORIZED RECREATION.

14 THIS INCLUDES THE CONSTRUCTION OF  
15 VISITOR CENTERS, WILDLIFE GUZZLERS.

16 YES, I KNEW YOU WOULD LIKE THAT.

17 CAMPING FACILITIES, ET CETERA, WHERE  
18 APPROPRIATE. AND YOU MAY GUESS WHAT MIKE'S  
19 PROPOSAL HAS TO DO WITH THIS DEVELOPMENT.

20 THE SECOND THING I WOULD LIKE TO  
21 READ YOU IS UNDER A SECTION ON RECOMMENDED  
22 ACTIONS OR MANAGEMENT ACTIONS WITHIN DWMAS IS  
23 ONE THAT SAYS, AS FUNDS BECOME AVAILABLE EACH  
24 DWMA OR GROUP OF DWMAS MANAGED AS A UNIT  
25 SHOULD HAVE AN ASSOCIATED VISITOR CENTER OR

1       SET OF INTERPRETIVE SITES AND PANELS AND  
2       PERHAPS OTHER AMENITIES, SUCH AS CAMPGROUNDS  
3       OR PROVISIONS FOR GUIDED TOURS.

4               THIS IS UNDER PROVISIONS WHERE THEY  
5       ARE TALKING ABOUT PROVIDING EDUCATION,  
6       INTERPRETATION AND INFORMATION ON THE DESERT  
7       TORTOISE.

8               AND NOW I WOULD LIKE TO HAVE MIKE  
9       PRESENT HIS PROPOSAL WHICH DOES INVOLVE  
10      EXCHANGE OF LAND WHICH WOULD DISPOSE OF  
11      CRITICAL TORTOISE HABITAT.

12              HOWEVER, I THINK IT WOULD MEET  
13      OBJECTIVES THAT WE, THE BLM, WHICH WAS SO  
14      ELOQUENTLY STATED ON OUR BEHALF -- WE ARE  
15      PROBABLY NOT ABLE TO AFFORD TO IMPLEMENT MANY  
16      OF THESE ACTIONS.

17              AND AS I HAVE SAID BEFORE, MANY OF  
18      THESE THINGS HAVE TO BE DONE AS A PARTNERSHIP.  
19      AND I LOOK AT WHAT RANDY DOES AS PART OF OUR  
20      PARTNERSHIP.

21              SO NOW I WOULD LIKE TO TURN IT OVER  
22      NOW TO MIKE.

23              MIKE FREEMAN:  THANK YOU, MOLLY, MR.  
24      SALT AND COUNCIL.

25              ACTUALLY I AM HERE REPRESENTING

1 GERALD FREEMAN, WHO IS THE PROPONENT OF THIS.

2 I AM HIS BROTHER. HE COULDN'T BE HERE TODAY.

3 I HAVE PERCEIVED THAT ALL OF YOU ARE  
4 VERY CAPABLE OF READING, AND I AM NOT GOING TO  
5 REGURGITATE WHICH IS WHAT IS ON MY HANDOUT,  
6 BECAUSE THAT LAYS OUT WHAT WE ARE TRYING TO  
7 DO.

8 I JUST WANT TO BRING A COUPLE OF  
9 THINGS TO YOUR ATTENTION THAT ARE NOT ON  
10 THERE.

11 AND THAT IS, NUMBER ONE, IN  
12 DISCUSSIONS WITH BOTH HAL -- DR. AVERY AND  
13 PHIL METICA, THE TORTOISE HABITAT THAT WE ARE  
14 GIVING TO THE PARK SERVICE OR PROPOSE TO GIVE  
15 TO THE PARK SERVICE AND THE FEDERAL GOVERNMENT  
16 HAS ABOUT TEN TIMES THE DENSITY OF TORTOISES  
17 OF THAT THAT WE ARE TALKING ABOUT PUTTING OUR  
18 FACILITY ON.

19 AND, IN FACT, THE PORTION THAT WE  
20 ARE ATTEMPTING TO GET FROM BLM IN EXCHANGE IS  
21 ALREADY VERY DISTURBED.

22 AND IN A WALKTHROUGH WITH MR. METICA  
23 WE COULDN'T FIND ANY TORTOISES, ALTHOUGH THERE  
24 MAY BE A VERY FEW THERE.

25 THE SECOND THING IS THAT NIPTON --

1 THE LITTLE TOWNSHIP OF NIPTON IS SORT OF AD  
2 HOC BEEN PUT IN A POSITION OF BEING A VISITOR  
3 CENTER AND EDUCATING PEOPLE WITH RESPECT TO  
4 THE DESERT AND THEIR PRESERVE.

5 MUCH LIKE GOFFS AREA HAS, ALTHOUGH  
6 WE HAVEN'T THE DEVELOPMENT THAT THEY HAVE  
7 DONE.

8 WE PERCEIVE THE I-15 CORRIDOR AS  
9 BEING A HUGE RIVER OF CITIZENS THAT THINK THE  
10 ENTIRE DESERT AREA IS JUST SOMETHING THEY HAVE  
11 TO GET THROUGH TO GET TO LAS VEGAS.

12 AND THAT PORTION OF OUR PROPOSAL  
13 THAT ASKS FOR THE EXCHANGE TO INCLUDE A LITTLE  
14 PIECE UP THERE FOR A PRIVATELY-OPERATED  
15 VISITOR CENTER SO THAT SOME OF THOSE PEOPLE  
16 MIGHT HAVE ACCESS AND GET EDUCATED ON WHAT'S  
17 IN THE PRESERVE AND THE REST OF THE DESERT.  
18 IT'S INTENDED TO TRY AND COVER THAT.

19 LASTLY, I WOULD LIKE TO POINT OUT  
20 THAT EVEN BEFORE COMING HERE AND LISTENING TO  
21 AN AMAZING BIT OF CONVERSATION ON WHAT WE KNOW  
22 AND DON'T KNOW ABOUT DESERT TORTOISES, EVEN  
23 PRIOR TO THAT WE HAD ARRANGED WITH DREXEL  
24 UNIVERSITY AND DR. AVERY TO USE THE PARCEL  
25 THAT IS PARCEL "B" ON THE MAP ATTACHED TO YOUR

1 PROPOSAL, TO DO RESEARCH ON DESERT TORTOISES.

2 BECAUSE WE -- DR. AVERY IN  
3 PARTICULAR, MR. METICA AND MYSELF FELT -- AND  
4 ONLY ME FROM HEARING THEIR INPUT -- FELT THAT  
5 LACK OF RAINFALL AND DROUGHT MIGHT WELL BE AS  
6 IMPORTANT AS DISEASE IN KILLING OFF THE  
7 TORTOISES.

8 AND WE ARE GOING TO USE THAT  
9 PROPERTY WITH -- IN CONJUNCTION WITH DREXEL  
10 UNIVERSITY TO STUDY THAT ISSUE.

11 THAT ALL I HAVE. THANK YOU.

12 ILENE ANDERSON: OKAY. I BELIEVE  
13 NOW THAT WRAPS UP THE PUBLIC COMMENTS ON NEMO,  
14 NECO.

15 AND IT'S THE COUNCIL'S PLEASURE TO  
16 TAKE A SHORT BREAK BEFORE WE COME BACK TO  
17 ACTION OR WOULD YOU LIKE TO CONTINUE TO PLOW  
18 AHEAD?

19 RON KEMPER: MADAM CHAIR, IS IT  
20 APPROPRIATE TO MAKE ANY COMMENTS ON MIKE'S  
21 PROJECT AT THIS TIME OR IS IT JUST FOR  
22 INFORMATION?

23 ILENE ANDERSON: I THINK THAT, SURE,  
24 IT'S APPROPRIATE.

25 MICHAEL FREEMAN: BEFORE YOU DO

1       COULD I ADD ONE SENTENCE?  AND THAT IS THAT  
2       OUR PURPOSE IN COMING HERE WAS TO REQUEST THE  
3       COUNCIL'S ENDORSEMENT OF OUR PROPOSAL.

4               RON KEMPER:  UNFORTUNATELY -- WELL,  
5       I GUESS THERE'S ONLY TWO OF US HERE THAT WERE  
6       ON THE TRT.  ILENE AND --

7               BILL, DID YOU EVER GET TO NIPTON?

8               BILL BETTERLY:  I HAVE BEEN THERE.

9               RON KEMPER:  AND, OF COURSE, BOB  
10      ELLIS WAS.

11              AND I'VE GOT TO TELL YOU, WHEN I WAS  
12      TOLD THAT WE WERE GOING TO BE STAYING AT  
13      NIPTON I THOUGHT, OH, BOY, THAT WILL BE FUN.  
14      AND IT WAS.  IT REALLY WAS.

15              THEY HAVE REALLY DONE A NICE JOB  
16      THERE.  THEY'VE GOT KIND OF A LARGE AREA OF  
17      DISTURBED LAND.

18              AND IN REGARDS TO TAKING THAT AREA  
19      ADJACENT, THAT DISTURBED LAND THAT HAS LESS  
20      TORTOISES, AND TRADING IT --

21              IN FACT, THEY HAVE GOT LAND THAT'S  
22      IN A VERY CRITICAL AREA THAT HAS A LOT OF  
23      TORTOISES AND THEY ARE PROPOSING A LAND SWAP  
24      SO THAT THEY CAN BE AN INFORMATION CENTER AND  
25      PROVIDE SERVICES TO THE PUBLIC ABOUT THE



1 PRESERVE.

2 I THINK IT'S A WONDERFUL IDEA. AND  
3 I WOULD, YOU KNOW, CERTAINLY RECOMMEND THAT  
4 THE COUNCIL SUPPORT IT.

5 DENNIS CASEBIER: DO YOU WANT TO  
6 MAKE IT A MOTION?

7 RON KEMPER: I WILL MAKE A MOTION  
8 THAT WE SUPPORT THE PROPOSAL.

9 DENNIS CASEBIER: I WILL SECOND IT.

10 ILENE ANDERSON: DISCUSSION BY THE  
11 COUNCIL?

12 RANDY RISTER: WHAT IS BLM'S  
13 POSITION ON THIS OFFICIALLY, MOLLY?

14 MOLLY BRADY: AS I SAID BEFORE, THE  
15 CURRENT POLICY IS WE CANNOT DISPOSE OF THIS  
16 LAND.

17 SO AS I TOLD THEM -- MIKE AND JERRY  
18 WHEN THEY FIRST CAME TO ME, IT LOOKS LIKE A  
19 PRETTY GOOD IDEA, YOU KNOW. I WOULD LIKE TO  
20 BE ABLE TO CONSIDER IT. I CAN'T RIGHT NOW.

21 MY CURRENT STANDARD IS I HAVE TO  
22 SHOW THAT IT WILL POSITIVELY BENEFIT THE  
23 TORTOISE AND I -- IN A NATURAL WAY. SO I  
24 COULDN'T SHOW THAT.

25 BUT IT IS CONSISTENT WITH THE

1 RECOVERY PLAN. I BELIEVE THAT IT IS  
2 APPROPRIATE. AND I WOULD SUPPORT IT.

3 I AM IN FACT PROPOSING THAT WE  
4 MODIFY THE PREFERRED ALTERNATIVE TO ALLOW FOR  
5 EXCEPTIONS SUCH AS WERE IDENTIFIED AND  
6 DISCUSSED IN THE RECOVERY PLAN SO THAT WE CAN  
7 HAVE PRIVATE-SECTOR INDIVIDUALS THAT CAN  
8 ACTUALLY DEVELOP THESE IN PARTNERSHIP WITH THE  
9 FEDERAL GOVERNMENT, BECAUSE IT IS REALLY  
10 IMPOSSIBLE FOR US TO AFFORD TO DEVELOP SUCH  
11 VISITOR CENTERS.

12 AND WHEN I SAY "IN PARTNERSHIP" IT  
13 DOESN'T NECESSARILY MEAN A FORMAL PARTNERSHIP.  
14 I AM CONSIDERING IT.

15 AND IF YOU LOOK AT THE PROPOSAL,  
16 THAT IT WILL WORK BEST IF THERE IS A  
17 CONSERVATION EASEMENT ON THIS LAND WHICH DOES  
18 PROVIDE SOME ASSURANCE THAT THAT LAND WILL NOT  
19 BE DEVELOPED IN A WAY THAT'S ADVERSE TO THE  
20 TORTOISE AND THE HABITAT.

21 DENNIS CASEBIER: SO YOU WOULD  
22 WELCOME AN ENDORSEMENT OF THE PROPOSAL?

23 MOLLY BRADY: I WOULD WELCOME THE  
24 ENDORSEMENT.

25 DENNIS CASEBIER: SO WE HAVE A

1 MOTION AND A SECOND.

2 ILENE ANDERSON: ANY FURTHER  
3 DISCUSSION?

4 BILL BETTERLY: I HAVE ONE QUESTION.  
5 IS THIS TAKING PRIVATE LAND OFF OF  
6 THE TAX ROLLS IN SAN BERNARDINO COUNTY AND  
7 THEN NOT PUTTING ANYTHING ON IN ITS PLACE?

8 MOLLY BRADY: THIS IS AN EXCHANGE  
9 PROPOSAL.

10 RON KEMPER: THIS IS A SWAP.

11 MOLLY BRADY: YEAH. IT'S AN  
12 EXCHANGE PROPOSAL. AND, OF COURSE, I CAN'T  
13 SAY IT'S A FINAL DONE DEAL, THAT IT WILL BE A  
14 DONE DEAL.

15 ALL I AM ASKING FROM YOU IS THAT  
16 THIS BE AN ALLOWABLE EXCEPTION TO THE CURRENT  
17 POLICY THAT WE CAN'T DISPOSE OF LAND.

18 IT WILL PROBABLY BE AN EVEN  
19 EXCHANGE, BECAUSE IT'S ALL DESERT TORTOISE  
20 HABITAT. IT WILL PROBABLY BE 160 ACRES FOR  
21 160 ACRES.

22 DENNIS CASEBIER: WELL, NOW, WAIT A  
23 MINUTE.

24 TO ANSWER YOUR QUESTION DIRECTLY, IF  
25 HE DEVELOPS THE LAND THEN SAN BERNARDINO

1 COUNTY WOULD GET --

2 MOLLY BRADY: WILL GET AN INCREASED,  
3 EXACTLY.

4 BILL BETTERLY: BUT MY CONCERN WAS  
5 THAT IT STAYS LIKE A PARTNERSHIP IN FEDERAL  
6 LAND OWNERSHIP AND HE JUST PUTS THE UNIT ON.  
7 AND THEN WE ARE TAKING 160 ACRES OFF, BUT WE  
8 ARE NOT GAINING ANYTHING FROM IT.

9 IF IT'S AN EXCHANGE I HAVE NO  
10 DIFFICULTY.

11 MOLLY BRADY: NO, IT'S AN EXCHANGE.  
12 I WAS SUGGESTING THAT THEY EXCHANGE. AND  
13 WOULD HAVE A CONSERVATION EASEMENT ON THE  
14 LAND.

15 BILL BETTERLY: VERY FINE. THAT'S A  
16 GREAT THING FOR THAT AREA.

17 ILENE ANDERSON: ANY FURTHER  
18 DISCUSSION?

19 RON KEMPER: CALL FOR A QUESTION.

20 ILENE ANDERSON: OKAY. ALL THOSE IN  
21 FAVOR?

22 [ALL IN FAVOR SAID AYE.]

23 OPPOSED. ABSTENTIONS.

24 IT'S A UNANIMOUS VOTE, LET THE  
25 RECORD REFLECT.

1                   RON KEMPER:  ARE YOU GOING TO START  
2   PUBLIC COMMENT NOW?

3                   ILENE ANDERSON:  NO, I AM GOING TO  
4   START OUR DAC RECOMMENDATIONS TO THE --  
5   COUNCIL ACTION RECOMMENDATIONS ON THE NEMO,  
6   NECO.

7                   SO I THINK THE FIRST IN ORDER THAT  
8   WE NEED TO VISIT IS WITH REGARDS TO THE  
9   GUZZLERS IN THE NECO PLAN.  AND BLM NEEDS SOME  
10  DIRECTION ON THAT.

11                  WALLY LEIMGRUBER:  I'LL MAKE A  
12  MOTION, MADAM CHAIR, THAT THE GUZZLERS IN THIS  
13  AREA REMAIN OPEN.

14                  DENNIS CASEBIER:  HOW ABOUT ADDING  
15  SAN BERNARDINO COUNTY?

16                  WALLY LEIMGRUBER:  WELL, IT'S IN THE  
17  NEMO, NECO PLAN.

18                  DENNIS CASEBIER:  THAT WOULD BE WITH  
19  THIS.

20                  WALLY LEIMGRUBER:  RIGHT.  AS  
21  PROPOSED IN THE NECO PLAN.

22                  ILENE ANDERSON:  ANY SECOND?

23                  RON KEMPER:  I WILL SECOND IT.  BUT  
24  I NEED CLARIFICATION ON THE MOTION.

25                  ARE YOU TALKING ABOUT GUZZLERS THAT

1 ARE CURRENTLY OPERATING OR FUTURE  
2 DEVELOPMENTS, AS WELL?

3 WALLY LEIMGRUBER: FUTURE  
4 DEVELOPMENTS, AS WELL.

5 RON KEMPER: AND MY SECOND STANDS.

6 ILENE ANDERSON: MY DISCUSSION POINT  
7 FOR THIS MOTION IS THAT I WOULD LIKE TO SEE  
8 INCLUDED IN THE MOTION A MONITORING -- OR  
9 ACTUALLY IN THE DOCUMENT A MORE THOROUGH  
10 DISCUSSION OF THE POTENTIAL IMPACTS TO THE  
11 VEGETATION AROUND THESE GUZZLERS.

12 AND I THINK THAT RANDY INDICATED  
13 THAT INFORMATION WAS AVAILABLE.

14 AND I THINK FOR FULL DISCLOSURE OF  
15 ALL OF THE IMPACTS TO -- BECAUSE OF THESE  
16 ACTIONS, I THINK THAT SHOULD BE INCLUDED IN  
17 THE DOCUMENT.

18 BILL BETTERLY: MADAM CHAIR, AS A  
19 POINT OF ORDER, DOES THE MOTIONMAKER ACCEPT  
20 THAT?

21 WALLY LEIMGRUBER: THAT WOULD BE  
22 ACCEPTABLE, YES.

23 RON KEMPER: THE SECOND AMENDS, AS  
24 WELL.

25 ILENE ANDERSON: CALL FOR THE VOTE?

1                   RON KEMPER: DO YOU WANT DISCUSSION?

2                   ILENE ANDERSON: ANY OTHER

3 DISCUSSION?

4                   OKAY, I WILL CALL FOR THE VOTE THEN.

5 ALL OF THOSE IN FAVOR?

6                   [ALL IN FAVOR SAID AYE.]

7                   OPPOSED.

8                   [ALL OPPOSED RAISED THEIR HAND.]

9                   LET THE RECORD REFLECT 12 IN SUPPORT

10 AND ONE IN DISSENT.

11                  RON KEMPER: HOW MANY PEOPLE ARE

12 HERE?

13                  ILENE ANDERSON: OH, RIGHT, MARILYN

14 LEFT. OKAY. 11 IN SUPPORT, ONE IN DISSENT.

15 THANK YOU.

16                  OKAY. ON TO THE NEXT ONE WITH

17 REGARDS TO ROUTE DESIGNATION.

18                  DO WE WANT TO MAKE ANY

19 RECOMMENDATIONS TO THE BLM?

20                  DENNIS CASEBIER: WE GOT AN AWFUL

21 LOT OF INPUT TODAY ABOUT THE TORTOISE. SO I

22 AM NOT SURE WHAT KIND OF --

23                  DID YOU HAVE A MOTION YOU WANTED TO

24 MAKE? I AM SORRY. BECAUSE I WASN'T GOING TO

25 MAKE A MOTION, I WAS JUST GOING TO THINK

1       OUTLOUD FOR A LITTLE BIT.

2               IN THE DISCUSSION WE HAD, THE  
3       PREPONDERANCE OF IT WENT TO SHOW THAT -- NOT  
4       TO PUT IT IN BLUNT LANGUAGE -- BUT WE ARE NOT  
5       SURE WE KNOW WHAT WE ARE DOING.

6               AND THE SPEAKERS WENT SO FAR AS TO  
7       SAY WE SHOULD DELAY THESE PLANS WHILE THE  
8       DISTRICT MANAGER HAS A CHANCE TO DIGEST THE  
9       IMPLICATIONS OF THE LACK OF -- REALLY  
10      OVERWHELMING LACK OF CONFIDENCE THAT THE PANEL  
11      HAS AND THE AUDIENCE.

12              AND WHETHER WE REALLY UNDERSTAND THE  
13      DESERT TORTOISE WELL ENOUGH TO MAKE DECISIONS  
14      ABOUT HIM THAT AFFECT OUR FREEDOM.

15              DOES ANYBODY ELSE HAVE A THOUGHT  
16      ABOUT THAT?

17              THAT COULD LEAD TO A MOTION, TO GIVE  
18      THE DISTRICT MANAGER A CHANCE TO DIGEST ALL OF  
19      THIS.

20              I MEAN, POOR OLE TIM HAS BEEN  
21      SITTING OVER THERE LISTENING TO ALL OF THIS,  
22      BUT I NOTICE HE HAS BEEN TAKING NOTES.

23              YOU HAVE A LOT OF GOOD PEOPLE HERE  
24      TODAY. INCLUDING WHAT STRIKES ME AS AT LEAST  
25      A COUPLE OF VERY WELL-QUALIFIED SCIENTISTS



1        THAT TEND TO CORROBORATE THE NOTION THAT WE  
2        DON'T KNOW WHAT WE ARE DOING.

3                AND THEN THAT TIES IN WITH THIS  
4        BUSINESS OF -- WHICH I HADN'T THOUGHT ABOUT  
5        MUCH BEFORE I CAME HERE -- BUT WITH THIS  
6        BUSINESS THAT THE FISH AND WILDLIFE SERVICE  
7        HAS NEGLECTED ITS DUTY TO UPDATE THE RECOVERY  
8        PLAN.

9                SO THERE MIGHT BE A COUPLE OF  
10       MOTIONS BURIED IN THERE.

11               ONE FOR IF WE HAPPEN TO FEEL THAT  
12       THE DISTRICT MANAGER NEEDS A LITTLE BREATHING  
13       ROOM HERE TO DIGEST ALL OF THIS.

14               AND THE OTHER ONE TO ENCOURAGE HIM  
15       TO DO WHATEVER A PERSON IN HIS POSITION DOES  
16       WHEN HE PICKS UP THE PHONE AND CALLS UP THIS  
17       OTHER AGENCY AND TELLS THEM THEY DROPPED THE  
18       BALL.

19               ILENE ANDERSON:    ANY COMMENTS?

20               ISABELLA BURNS:    I CERTAINLY AGREE  
21       WITH DENNIS THAT I FEEL LIKE I HAVE A  
22       DIFFERENT PERSPECTIVE NOW THAN I HAD WHEN I  
23       CAME IN HERE ABOUT THE PLAN AND ABOUT WHICH  
24       WAY TO MOVE.

25               WE HAVE BEEN STRUGGLING WITH THIS

1       PLAN FOR YEARS.   AND SUDDENLY THINGS MIGHT  
2       COME TO A CLOSURE.

3               BUT AFTER I SEE AND HEAR FROM  
4       SCIENTISTS AND IT'S BEEN POINTED OUT THAT WE  
5       DON'T KNOW WHAT WE ARE DOING, I DON'T HAVE  
6       THAT SAME FEELING TO PROCEED AHEAD WITHOUT  
7       THINKING THIS THROUGH OR MAKING SOME ATTEMPTS  
8       TO CHANGE SOME MANY THINGS.

9               BILL BETTERLY:   SHE JUST STOLE WHAT  
10       I WAS GOING TO SAY.

11              ISABELLA BURNS:   SORRY ABOUT THAT,  
12       BILL.

13              ILENE ANDERSON:   WELL, MY FEELING ON  
14       IT IS THAT WHAT WE DO KNOW ABOUT THE DESERT  
15       TORTOISE IS THAT THEY ARE IN GREAT DECLINE.  
16       AND IT IS INCUMBENT UPON THE BUREAU TO HAVE  
17       SOME SORT OF STRATEGY TO IMPLEMENT DESERT  
18       TORTOISE RECOVERY.

19              AND FROM WHAT I HAVE SEEN OF THESE  
20       PLANS, THIS IS THEIR BEST EFFORT AT GOING  
21       FORWARD WITH RECOVERY IMPLEMENTATION.

22              AND MY FEELING IS THAT THEY SHOULD  
23       GO FORWARD WITH WHAT THEY ARE PROPOSING.

24              BILL BETTERLY:   MADAM CHAIR, MAY I  
25       SPEAK NOW?

1 I DON'T HAVE THAT SAME FEELING AS  
2 YOU. I THINK I HAVE LEARNED THINGS HERE TODAY  
3 THAT I HAD NOT KNOWN BEFORE.

4 ALTHOUGH I DID QUITE A LITTLE BIT OF  
5 RESEARCH IN THE UNIVERSITY OF CALIFORNIA AT  
6 RIVERSIDE.

7 AND I AM NOT SURE THAT I FOR ONE IN  
8 MY OWN PERSONAL OPINION HAVE ENOUGH KNOWLEDGE  
9 TO GO FORWARD WITH THE PROPOSAL.

10 I HAVE LEARNED TOO MANY THINGS HERE  
11 FROM SOME PRETTY GOOD PROFESSIONALS. AND I  
12 COULDN'T GO FORWARD WITH IT.

13 RON KEMPER: MADAM CHAIR? I AM  
14 SORRY, JIM, GO AHEAD.

15 JIM REDDY: YEAH, I UNFORTUNATELY  
16 HAVE THE SAME QUEASY FEELING.

17 WE HAVE BEEN TALKING ABOUT THESE  
18 PLANS FOR A LONG TIME. AND THE FOCUS HAS BEEN  
19 ON A PLAN WITHOUT, UNFORTUNATELY, ANY FACTS.

20 THE SCIENTISTS TODAY THAT WE HAVE  
21 HAD ARE SOME OF THE FIRST ONES WE'VE HAD.

22 WE HAVE HAD A LOT OF BLM MAKE  
23 PRESENTATIONS ON NEMO, NECO AND WEST MOHAVE  
24 OVER THE YEARS, BUT WE HAVEN'T HEARD TOO MANY  
25 OUTSIDERS THAT HAVE CREDENTIALS TALK.

1                   AND IT WAS SORT OF UNNERVING TO HEAR  
2           THAT THERE WERE BASICALLY PLANS ON THINGS THAT  
3           WE DON'T REALLY KNOW. IT'S REALLY  
4           DISCOURAGING TO HEAR THIS.

5                   I DON'T WANT TO REPEAT THIS TOO  
6           LONG. BUT TO GO FORWARD WITH A PLAN THAT WE  
7           DON'T REALLY KNOW.

8                   THE PRIMARY SOURCE OF THE PROBLEMS  
9           WITH THE TORTOISE ARE THINGS THAT WE CAN'T  
10          CONTROL. THINGS LIKE DISEASE. OR CHOOSE NOT  
11          TO CONTROL, LIKE THE RAVENS.

12                  AND TO CHOOSE TO CONTROL THE THINGS  
13          WHICH APPARENTLY ACCOUNT FOR SMALL DECIMAL  
14          POINTS IN THE DEATHS OF THE TORTOISE DOESN'T  
15          SEEM LIKE IT WOULD MAKE A GOOD BUSINESS PLAN,  
16          I WILL TELL YOU THAT.

17                  RON KEMPER: I WOULD LIKE TO MAKE A  
18          MOTION.

19                  THAT MOTION BEING THAT THIS COUNCIL  
20          ADVISE THE DISTRICT MANAGER THAT WE BELIEVE  
21          IT'S IN THE BEST INTEREST OF THE BUREAU TO ASK  
22          FISH AND WILDLIFE TO UPDATE THE RECOVERY PLAN.

23                  AND THAT WE HOLD UP IMPLEMENTING  
24          THAT RECOVERY PLAN UNTIL THAT'S DONE, AS WELL  
25          AS NEMO AND NECO, UNTIL THE AUDIT THAT'S BEEN

1       ASKED BY CONGRESS HAS BEEN COMPLETED AND A  
2       REPORT FILED, AS MR. HUBBARD SUGGESTED.

3               (AUDIENCE APPLAUSE.)

4               WALLY LEIMGRUBER:  I SECOND THAT  
5       MOTION.

6               ILENE ANDERSON:  ANY DISCUSSION ON  
7       THE MOTION?  BOB?

8               BOB ELLIS:  MAYBE YOU COULD SAY A  
9       LITTLE MORE ABOUT THIS AUDIT.  I KNOW IT WAS  
10      MENTIONED BY SOMEONE IN THE PUBLIC, BUT --

11              WALLY LEIMGRUBER:  BOB, I CAN  
12      RESPOND TO THAT AUDIT.

13              THE GAO'S OFFICE HAS BEEN REQUESTED  
14      TO PROVIDE AN AUDITING ACCOUNT OF THE MONIES  
15      THAT HAVE BEEN SPENT ON THE DESERT RECOVERY.

16              THIS HAS BEEN AN ONGOING  
17      EXPENDITURE.  AND QUITE FRANKLY THE GAO'S  
18      OFFICE WANTS TO KNOW WHERE THAT MONEY HAS GONE  
19      TO AND WHAT IT HAS ATTEMPTED TO CORRECT.

20              I THINK IT'S VERY HELPFUL GERRY  
21      HILLIER -- IN FACT, OUR COUNTY SENT LETTERS  
22      BACK TO WASHINGTON, D.C. SPECIFICALLY ASKING  
23      FOR THAT REQUEST.  WE WANT TO KNOW WHAT IS OUR  
24      BANG FOR OUR BUCK.

25              BOB ELLIS:  HAVE YOU HAD ANY

1       RESPONSE THAT THERE IS LIKELY TO BE AN AUDIT?  
2       BECAUSE I KNOW THAT THEY ASK FOR AUDITS ON  
3       LOTS OF DIFFERENT THINGS.  AND IF ONE IS  
4       REALLY GOING TO BE DONE AND FAIRLY EXPEDITED,  
5       THAT WOULD BE INTERESTING INFORMATION.

6               WALLY LEIMGRUBER:  I HAVE NO TIME  
7       TABLE ON THEIR PERFORMANCE.  BUT IT HAS BEEN A  
8       FORMAL REQUEST.

9               ILENE ANDERSON:  I GUESS THAT I AM  
10      FULLY SUPPORTIVE OF HAVING THE DESERT TORTOISE  
11      RECOVERY PLAN REVISITED.  UNEQUIVOCALLY, NO  
12      QUESTION ABOUT THAT.

13              HOWEVER, I DON'T THINK I COULD  
14      SUPPORT THAT MOTION AS STATED BECAUSE OF THE  
15      DELAY IN GOING FORWARD WITH THE NECO, NEMO  
16      PROCESSES.

17              AND SO I WOULD REQUEST THAT YOU  
18      CONSIDER, RON, BREAKING IT INTO TWO DIFFERENT  
19      MOTIONS?  ONE IN WHICH I WOULD BE ABLE TO  
20      SUPPORT, THE OTHER NOT.

21              RON KEMPER:  WALLY BRINGS UP AN  
22      INTERESTING POINT.  I DON'T KNOW IF GERRY  
23      HILLIER IS STILL HERE.

24              I WAS UNDER THE IMPRESSION THAT THE  
25      AUDITING HAD BEEN COMMITTED TO AND IT WAS

1       ONGOING.

2                   WALLY LEIMGRUBER:  I DON'T KNOW.

3                   ILENE ANDERSON:  GERRY, ARE YOU OUT  
4       THERE?  DO WE HAVE AN ANSWER?

5                   JON MCQUISTON:  WE MAY HAVE SOMEBODY  
6       WHO CAN SHED SOME LIGHT ON THIS, I AM NOT  
7       SURE.  BUT I SAW A HEAD NOD OUT THERE.

8                   LORELEI OVIAT:  LORELEI OVIAT, KERN  
9       COUNTY PLANNING DEPARTMENT ON JON MCQUISTON'S  
10      STAFF.

11                  MY UNDERSTANDING -- WE PARTICIPATE  
12      IN THE QUAD STATE COALITION.

13                  MY UNDERSTANDING FROM GERRY IS THAT  
14      THE AUDIT HAS BEEN AUTHORIZED AND THEY HAVE  
15      ALREADY CONTACTED CALIFORNIA BLM TO BEGIN  
16      COLLECTING INFORMATION.

17                  RON KEMPER:  MADAM CHAIR, I THINK WE  
18      VOTED TOGETHER ONCE TODAY.  I WOULD LIKE TO  
19      SEE US DO IT TWICE.

20                  AND IF IT TAKES ME AMENDING THE  
21      MOTION TO DO IT IN TWO PARTS, I WILL.  
22      HOWEVER, IT WILL TAKE MORE TIME.  I THINK THE  
23      OUTCOME WILL BE THE SAME.

24                  ILENE ANDERSON:  WHATEVER YOUR  
25      PLEASURE.  THAT'S JUST MY -- WHAT I -- WHAT MY

1       FEELING IS.

2                   RON KEMPER:  THE FIRST PART OF THE  
3       MOTION WAS THAT WE WOULD ADVISE THE DISTRICT  
4       MANAGER TO GET IN CONTACT WITH FISH AND  
5       WILDLIFE TO REVISIT THE RECOVERY PLAN AS  
6       PROMISED AND UPDATE IT WITH THE MOST CURRENT  
7       SCIENCE AVAILABLE.  THAT WILL BE MY FIRST  
8       MOTION.

9                   DENNIS CASEBIER:  AND TO DELAY THEIR  
10      PLANS UNTIL THAT'S DONE?

11                  RON KEMPER:  THAT'S CORRECT.

12                  DENNIS CASEBIER:  THAT'S PART OF IT?

13                  RON KEMPER:  YES.  YES, SIR.

14                  ILENE ANDERSON:  AND THAT'S JUST A  
15      SINGLE MOTION.

16                  RON KEMPER:  AND TO DELAY THE  
17      IMPLEMENTATION OF THE RECOVERY PLAN UNTIL  
18      THAT'S DONE.  UNTIL THEY HAVE UPDATED IT.

19                  WALLY LEIMGRUBER:  FISH AND  
20      WILDLIFE.

21                  RON KEMPER:  FISH AND WILDLIFE.

22                  I MADE A MOTION AS TO THE RECOVERY  
23      PLAN AND THEN AS TO NEMO AND NECO, BUT BOTH OF  
24      THEM HAD TO DO WITH HOLDING UNTIL WE HAD AN  
25      UNDATED --



1 I AM ASSUMING THAT FISH AND WILDLIFE  
2 WITH THE SCIENCE AVAILABLE CAN DO THIS IN 60  
3 OR 90 DAYS.

4 UNIDENTIFIED SPEAKER: THEY COULD  
5 BUT THEY WON'T.

6 RON KEMPER: WELL, I THINK -- MR.  
7 SALT, I DON'T MEAN TO APPLY A LOT OF PRESSURE.

8 BEING A RANCHER, I DON'T KNOW. WHAT  
9 DO YOU THINK? IN WHAT TIME DO YOU THINK WE  
10 CAN GET THAT ACCOMPLISHED?

11 TIM SALT: SINCE THE RECOVERY PLAN  
12 WAS ACTUALLY NOT PREPARED BY FISH AND  
13 WILDLIFE, IT WAS PREPARED BY A GROUP OF  
14 SCIENTISTS ON BEHALF OF FISH AND WILDLIFE  
15 SERVICE, THEY WOULD HAVE TO RECONVENE THAT  
16 GROUP OR ANOTHER GROUP OF SCIENTISTS. THEY  
17 WOULDN'T HAVE FISH AND WILDLIFE STAFF DOING  
18 IT. YOU KNOW, I WOULD BE SURPRISED IF IT  
19 COULD BE COMPLETED IN 60 TO 90 DAYS.

20 RON KEMPER: WELL, WHAT'S A  
21 REASONABLE TIME PERIOD DO YOU BELIEVE?

22 TIM SALT: I GUESS SHOULD THEY  
23 CHOOSE TO ENTERTAIN YOUR REQUEST, I WOULD  
24 THINK THEY WOULD PROBABLY EXPECT SOMETHING  
25 MORE ALONG THE LINE OF SIX MONTHS TO A YEAR.

1                   RON KEMPER:  MAYBE I MISUNDERSTAND  
2     THE PROCEDURE.

3                   WHAT I HAVE HEARD TODAY IS THERE  
4     WAS -- PART OF THE RECOVERY PLAN IS THAT IT  
5     WOULD BE REVISITED IN THREE TO FIVE YEARS AND  
6     THAT THEY HAVEN'T MET THAT OBLIGATION.

7                   AND SO NOW YOU HAVE ONCE AGAIN THE  
8     POTENTIAL FOR MORE LAWSUITS, BECAUSE WE ARE  
9     NOT USING THE MOST CURRENT AVAILABLE SCIENCE  
10    AND A PROMISE THAT WAS MADE.

11                  IS THERE ANY POSSIBLE WAY -- WE ARE  
12    ALL TIRED OF BEING INVOLVED IN LAWSUITS, YOU  
13    KNOW.

14                  AND WHAT WOULD BE THE IMPLEMENTATION  
15    IF WE DID NOTHING AS TO THE RECOVERY PLAN.  
16    SIX MONTHS, A YEAR?  OR WOULD YOU WAIT FOR  
17    WEMO?

18                  BILL BETTERLY:  ARE WE REVISITING  
19    THE MOTION OR ARE WE --

20                  RON KEMPER:  I AM PROBABLY OUT OF  
21    ORDER.  I WAS JUST TRYING --

22                  BILL BETTERLY:  YOU ARE TRYING TO  
23    EXPEDITE THE MOTION.

24                  I THINK THERE IS A MOTION AND A  
25    SECOND, AND I DON'T KNOW THAT WE CAN GO BACK

1       AND REVISIT THE MOTION AGAIN WITHOUT HAVING  
2       CONCURRENCE WITH THE SECOND.

3               RON KEMPER:  YES, SIR.  THE MOTION  
4       WAS TO ASK THE -- MR. SALT TO GO TO FISH AND  
5       WILDLIFE AND ASK THEM TO UPDATE THE RECOVERY  
6       PLAN AND TO HOLD OFF THE IMPLEMENTATION OF THE  
7       RECOVERY PLAN UNTIL IT WAS DONE.

8               DENNIS CASEBIER:  AND THAT'S EXACTLY  
9       WHAT YOU SAID BEFORE, AND THERE IS A SECOND TO  
10      THAT.

11              BILL BETTERLY:  RIGHT.

12              DENNIS CASEBIER:  WHETHER THAT'S  
13      PRACTICAL OR NOT IS SOMETHING TIM HAS TO  
14      DECIDE.  HE MAY HAVE TO TELL US.

15              TIM SALT:  WHAT I WROTE DOWN THAT  
16      YOU SAID WAS HOLD UP THE IMPLEMENTATION OF THE  
17      RECOVERY PLAN AND NEMO AND NECO.

18              RON KEMPER:  I AMENDED THE ORIGINAL  
19      MOTION.  I WANTED ILENE AND I TO VOTE  
20      TOGETHER.

21              TIM SALT:  AND I GUESS, IF I MAY --  
22      SPEAKING OF BEING OUT OF ORDER, IF I MAY --

23              I AM NOT SURE WHAT IMPLEMENTATION OF  
24      THE RECOVERY PLAN MEANS.  BECAUSE WE ARE NOT  
25      IMPLEMENTING THE RECOVERY PLAN, WE ARE

1       IMPLEMENTING NEMO AND NECO, WHICH IS, YOU  
2       KNOW, OUR INTERPRETATION OF WHAT NEEDS TO BE  
3       DONE TO SATISFY THE OBJECTIVES OF THE RECOVERY  
4       PLAN.

5               RON KEMPER:  SO THERE IS NO  
6       IMPLEMENTATION OF THE RECOVERY PLAN.

7               DENNIS CASEBIER:  AND THAT MIGHT  
8       NEED TO BE AMENDED IN THE MOTION THE WAY IT  
9       STANDS RIGHT NOW.

10              RON KEMPER:  I THOUGHT WHAT I HAD  
11       SAID WAS THAT WE WOULD HOLD OFF IMPLEMENTING  
12       THE RECOVERY PLAN.

13              DENNIS CASEBIER:  NO, THE REPORTS TO  
14       THE PLANS.

15              RON KEMPER:  MY FIRST MOTION -- LET  
16       ME GO BACK TO MY FIRST MOTION.

17              BILL BETTERLY:  LET'S TO GO THE  
18       FIRST MOTION.

19              RON KEMPER:  I WAS AFRAID THIS WOULD  
20       TAKE A LONG TIME.  LET ME GO BACK TO MY FIRST  
21       MOTION.

22              MY FIRST MOTION WAS THAT WE ADVISE  
23       MR. SALT TO INITIATE WITH THE FISH AND  
24       WILDLIFE TO UPDATE THE RECOVERY PLAN.  AND  
25       THAT WE NOT IMPLEMENT NEMO AND NECO UNTIL IT

1 HAS BEEN UPDATED AND THE REPORT HAS BEEN  
2 DELIVERED ON THE AUDIT.

3 BILL BETTERLY: IS THAT WHAT THE  
4 SECOND WANTS?

5 WALLY LEIMGRUBER: THAT SECOND  
6 CONCURS.

7 ILENE ANDERSON: AND WHAT MY  
8 DISCUSSION POINT WAS AND HOW I WON'T BE ABLE  
9 TO SUPPORT THAT IS I WOULD LIKE TO DEFINITELY  
10 HAVE THE RECOVERY PLAN REVISITED, BUT I DON'T  
11 THINK THAT SHOULD BE DETERMINING WHAT GOES ON  
12 WITH THE AUDIT AND NEMO AND NECO.

13 JIM REDDY: IT JUST SEEMS STRANGE  
14 THAT IF WE ARE GOING TO ADMIT THIS CASE, IT  
15 SEEMS LIKE YOU ARE BEING -- WELL, I DON'T WANT  
16 TO GET THIS PERSONAL.

17 I WOULD SUPPORT IT BECAUSE I THINK  
18 IF WE ARE ASKING FOR THE RECOVERY PLAN TO BE  
19 UPDATED, NEMO AND NECO ARE BASED ON THE  
20 RECOVERY PLAN.

21 IF THE RECOVERY PLAN IS GOING TO BE  
22 REVISED, THEN THERE MAY BE REVISIONS REQUIRED  
23 IN THE NEMO AND NECO. SO THE TWO SORT OF GO  
24 TOGETHER.

25 I WOULD SUPPORT THE DELAY, TOO,

1 BECAUSE I WOULD SUPPORT GETTING AN UPDATED  
2 PLAN WHICH IS NOW SEVEN YEARS SINCE AND IT WAS  
3 SUPPOSED TO HAVE BEEN DONE IN THREE TO FIVE  
4 YEARS.

5 SO LET'S GET THE LATEST SCIENCE AND  
6 THEN THE OTHER -- IF THESE TWO PLANS HAVE TO  
7 BE REVIEWED AGAIN, MAKE SURE THAT THERE IS NO  
8 CHANGES.

9 IF THERE IS NO CHANGES TO THE PLANS  
10 REQUIRED BECAUSE OF THE UPDATE, FINE. LEAVE  
11 THE PLANS THE WAY THEY ARE.

12 IF THE PLANS -- IF A REVISION IS  
13 REQUIRED, THEN A REVISION IS REQUIRED. WE  
14 SHOULDN'T PUT OUT THE PLAN WITH OBSOLETE  
15 INFORMATION.

16 (AUDIENCE APPLAUSE.)

17 ILENE ANDERSON: MY ARGUMENT IS THAT  
18 THE PLANS AREN'T BASED ON THE RECOVERY PLAN,  
19 TO BEGIN WITH. THEY ARE BASED ON INFORMATION  
20 OF THE RECOVERY FOR THE DESERT TORTOISE.

21 BUT THEY DO NOT NECESSARILY REFLECT  
22 WHAT THE RECOVERY PLAN RECOMMENDS FOR DESERT  
23 TORTOISE RECOVERY IS ONE ISSUE.

24 AND MY FEELING IS IS THAT THERE ARE  
25 -- BESIDES FOR THE DESERT TORTOISE, THERE ARE

1 A HOST OF OTHER SPECIES AND ISSUES THAT ARE  
2 ADDRESSED IN THESE PLANS THAT I WOULD LIKE TO  
3 SEE GO FORWARD.

4 IF THE DESERT TORTOISE RECOVERY PLAN  
5 IS UPDATED, THE ADAPTIVE MANAGEMENT PART OF  
6 THE NEMO, NECO PLANS CAN BE IMPLEMENTED THEN  
7 TO INCORPORATE APPROPRIATE OTHER  
8 RECOMMENDATIONS IN THE UPDATED DESERT TORTOISE  
9 RECOVERY PLAN.

10 BOB ELLIS: IN THE LAST MONTH OR SO  
11 I'VE JUST BEEN KIND OF WONDERING IF WE REALLY  
12 HAVE TOTALLY CHANGED THE WAY WE OPERATE  
13 THINGS.

14 BECAUSE I WASN'T -- I HAVEN'T BEEN  
15 COMFORTABLE WORKING IN THE ENVIRONMENT WHERE  
16 THINGS SEEM TO BE DECIDED BY THE COURTS.

17 I HAVE BEEN TRYING TO FIGURE OUT IF  
18 THERE WAS SOME WAY THAT IN THESE COMPLICATED  
19 SITUATIONS WHERE WE HAVE CONFLICTING USES,  
20 THERE COULD BE SOME WAY WHERE AN AGENCY COULD  
21 MAKE DECISIONS THAT WEREN'T IN THE END  
22 CHALLENGED BY COURTS ON OPPOSING SIDES.

23 AND SOMETIMES IT'S VERY KIND OF  
24 FRUSTRATING TO SIT HERE AND MAKE THESE  
25 ATTEMPTS KNOWING THAT LAWYERS ARE LOOKING OVER

1       OUR SHOULDERS AND HERE WE ARE. NOT ONLY ARE  
2       THEY LOOKING OVER OURS, BUT MORE CLOSELY THEY  
3       ARE LOOKING OVER THE BLM'S.

4               AND SO IT SEEMS LIKE IT WOULD BE  
5       BETTER IF THEY WERE AT THE TABLE, YOU KNOW, IN  
6       SOME WAY, YOU KNOW.

7               BUT HERE WE ARE. THIS IS GOING TO  
8       BE LITIGATED WHETHER WE VOTE ONE THING ONE WAY  
9       OR ANOTHER, IT APPEARS. AND IT'S UNFORTUNATE  
10      TO ME THAT WE ARE AT LOGGERHEADS HERE.

11              I FULLY SUPPORT THE WISH OF REDOING  
12      THE RECOVERY PLAN.

13              WHEN YOU LOOK AT FISH AND WILDLIFE  
14      AND THE LONG LIST OF THINGS THEY HAVE TO DO  
15      AND THE LONG LIST OF REQUESTS THEY HAVE MADE  
16      FOR MORE FUNDING TO DO THEM, AND THE LACK OF  
17      ANY RESOLUTION ON THE PART OF PEOPLE WHO FUND  
18      THEM TO GIVE THEM MONEY TO DO THESE THINGS,  
19      IT'S VERY UNLIKELY THAT THERE IS GOING TO BE  
20      FAST ACTION HERE.

21              SO NOW, YOU KNOW, IN ADDITION TO  
22      LAWYERS, WE REALLY ARE BEGINNING TO LOOK AT  
23      POLITICIANS AT A HIGHER -- MUCH HIGHER LEVEL  
24      THAN US.

25              I MEAN, IT IS POSSIBLY THE CASE THAT



1 PEOPLE IN WASHINGTON COULD DECIDE THAT THIS  
2 ISSUE IS BIG ENOUGH TO MAKE FISH AND WILDLIFE  
3 MOVE ON THIS ISSUE. I DON'T KNOW.

4 BUT I JUST -- I FEEL DISAPPOINTED  
5 THAT WE ARE IN A WAY SORT OF SAYING GOOD-BYE  
6 TO THE-FELLOWS-AROUND-THE-TABLE KIND OF  
7 MANAGEMENT AND SORT OF SAYING HELLO AND MAYBE  
8 COMING TO THE REALITY THAT THESE THINGS SEEM  
9 TO BE COMPLEX ENOUGH THAT IN OUR SOCIETY IT'S  
10 COURTS AND BIGGER POLITICIANS THAN US THAT  
11 SOLVE THESE THINGS.

12 SO THAT'S ALL I CAN SAY.

13 JON MCQUISTON: I HAVE JUST A COUPLE  
14 OF COMMENTS, AND THEN PROCEED HOWEVER.

15 TWO THINGS:

16 ONE, I DON'T THINK THE PLAN IS READY  
17 TO GO FORWARD, PERIOD.

18 ROUTE DESIGNATIONS, DWMAS, THEY ARE  
19 NOT GOING TO HELP RECOVER THE SPECIES. WE  
20 HAVE HEARD TODAY THAT THERE IS JUST SO MUCH  
21 THAT'S UNKNOWN THAT THIS IS SPECULATION AT  
22 BEST.

23 TO THE EXTENT THAT SOME OF THE  
24 MANAGEMENT PRACTICES DERIVE THEMSELVES FROM  
25 THE RECOVERY PLAN, THE RECOVERY PLAN CERTAINLY

1       NEEDS TO BE A PART OF WHATEVER THAT SCIENTIFIC  
2       PROCESS IS.

3               I PERSONALLY BELIEVE THAT THERE IS  
4       SOME THINGS THAT BLM DIDN'T BRING FORWARD THAT  
5       I THINK ARE ISSUES RELEVANT TO THE PLAN. WE  
6       HAVE HAD NO DISCUSSION OF THEM. I WILL WRITE  
7       THEM UP SEPARATELY, BECAUSE I WANT TO GO HOME  
8       TODAY, TOO.

9               BUT I THINK THERE WAS SOME VERY  
10       VALID POINTS MADE WITH RESPECT TO CUMULATIVE  
11       EFFECTS. THAT THERE IS A LOT OF PLANS OUT  
12       THERE. AND THAT THERE DOESN'T SEEM TO BE  
13       ADEQUATE ANALYSIS OF ALL OF THOSE PLANS.

14              AND IN FACT IN SOME AREAS THE REASON  
15       THAT THE CDPA WIDE ENVIRONMENTAL DOCUMENT  
16       WASN'T PREPARED WAS ON THE BASIS OF  
17       COMPLEXITY.

18              I HAVE NEVER KNOWN COMPLEXITY TO BE  
19       A REASON NOT TO CONSIDER CUMULATIVE EFFECTS.

20              AND SO THERE IS REASONS BEYOND THE  
21       DWMAS, THERE IS REASONS BEYOND THE ROUTE  
22       DESIGNATIONS.

23              AND MOST OF MY COMMENTS I CAPTURED  
24       VERBALLY TODAY, SO I AM NOT GOING TO REPEAT  
25       THOSE.

1 I DO THINK ASIDE FROM THAT STANDING  
2 MOTION AND THE SECOND WE NEED TO CORRESPOND  
3 WITH FISH AND WILDLIFE SERVICE WHICH BASICALLY  
4 SAID WE'VE GOT AN I.O.U.

5 WE ARE TRYING TO BUILD CONSERVATION  
6 PLANS AROUND THE DOCUMENT THAT YOU PREPARED  
7 AND YOU PROMISED THAT YOU WERE GOING TO  
8 REASSESS IN THREE TO FIVE YEARS.

9 NOW, THAT WAS A COMMITMENT AND THAT  
10 NEEDS TO BE DONE INDEPENDENT OF ANYTHING THAT  
11 WE DO TODAY.

12 SO I AM NOT -- I AM NOT IN A  
13 POSITION TO SAY WE SHOULDN'T GO FORWARD WITH  
14 NEMO AND NECO BECAUSE I WANT TO WAIT TO SEE  
15 WHAT RECOVERY PLAN MAY COME OUT.

16 I THINK THAT THEY SHOULDN'T GO  
17 FORWARD SIMPLY FOR THE REASONS WE HAVE ALREADY  
18 STATED. THEY ARE NOT GOING TO HELP RECOVER  
19 THE SPECIES. WE ARE NOT GOING TO THE ROOT  
20 PROBLEMS, THE DISEASE, THE RAVEN PREDATION AND  
21 THE OTHER ONES.

22 WE ARE GOING AFTER -- I THINK THE  
23 TERM I HEARD WAS SHUFFLING CHAIRS ON THE DECK  
24 OF THE TITANIC.

25 (AUDIENCE APPLAUSE.)

1                   AND WITH THE FACT OF THE CUMULATIVE  
2           IMPACT DO WE NEED TO GO FORWARD.

3                   SECONDLY, EVEN IF WE DO OR WE DON'T,  
4           LET'S APPLY TO THE BOARD OF THIS COMMITTEE.

5                   WE STILL NEED TO WRITE A LETTER OR  
6           REQUEST THAT MR. SALT WRITE A LETTER TO FISH  
7           AND WILDLIFE AND SAY IT'S TIME TO COME THROUGH  
8           ON YOUR COMMITMENT.

9                   AND THAT WILL BE A PART OF THE  
10          OVERALL SOLUTION THAT SHOULD BE SCIENCE-BASED.

11                   THANK YOU.

12                   BILL BETTERLY:   MADAM CHAIR.

13                   ILENE ANDERSON:   JUST ONE MOTION.

14                   JON MCQUISTON:   I DIDN'T MAKE ANY  
15          MOTIONS; I JUST MADE TWO COMMENTS.

16                   ILENE ANDERSON:   RIGHT.   AND I KNOW  
17          THAT WE HAVE A MOTION ON THE FLOOR.   I WOULD  
18          LIKE YOU TO ALSO APPRECIATE THE FACT THAT WE  
19          HAVE SOMEONE HERE TAKING DETAILED NOTES THAT  
20          NEEDS TO TAKE A BREAK PRETTY SOON.

21                   RON KEMPER:   CALL FOR THE QUESTION.

22                   BILL BETTERLY:   ONE COMMENT.

23                   THE PROBLEM REPRESENTS ACTUALLY THE  
24          SEGMENT OF THE PUBLIC THAT IS CAUSING THE  
25          LAWSUITS.   AND I DON'T THINK THAT'S GOING TO

1       CHANGE NO MATTER WHETHER IT PASSES OR IT  
2       DOESN'T PASS.

3               BUT I THINK FOR ME IT'S PREMATURE  
4       WITHOUT U.S. FISH AND WILDLIFE MAKING AN  
5       UPDATE TO GO FORWARD WITH NECO AND NEMO.

6               BOB ELLIS:  SORRY.  JUST A QUICK  
7       ONE.

8               I PRESUME -- AND I DON'T KNOW FOR  
9       SURE -- THAT THE LANGUAGE ABOUT REVISITING THE  
10      FISH AND WILDLIFE UPDATE PLAN WAS PUT IN THERE  
11      UNDER THE ASSUMPTION THAT THE BLM WOULD  
12      IMPLEMENT THE PLAN AND THEN THEY WOULD SEE HOW  
13      THEY WERE DOING AND HAVE SOMETHING ON THE  
14      GROUND TO BASE THEIR UPDATE ON.

15              AND SO THE BLM'S FAILURE TO  
16      IMPLEMENT IT FOR SEVEN YEARS -- I MEAN, WE ARE  
17      NOT -- WE ARE NOT, YOU KNOW, EXACTLY IN A  
18      POSITION TO DEMAND A NEW PLAN BECAUSE THEY  
19      HAVEN'T COME THROUGH.  IT IS THE CASE THE BLM  
20      HASN'T COME THROUGH.

21              NOW, IT'S QUITE POSSIBLY TRUE  
22      SCIENCE HAS CHANGED AND SO IT IS TIME FOR A  
23      NEW PLAN.  BUT WE CAN'T BE THE ONES WHO ARE  
24      SAYING THEY DIDN'T COME THROUGH.

25              ILENE ANDERSON:  I WILL CALL FOR THE

1 QUESTION NOW.

2 JON MCQUISTON: I NEED TO HEAR THE  
3 MOTION AGAIN, FOR THE THIRD TIME.

4 RON KEMPER: I BELIEVE THE MOTION  
5 WAS THAT WE ADVISE THE DISTRICT MANAGER TIM  
6 SALT TO CONTACT FISH AND WILDLIFE FOR THE  
7 PURPOSES OF UPDATING THE RECOVERY PLAN. AND  
8 THAT THE IMPLEMENTATION OF NEMO AND NECO BE  
9 HELD UP UNTIL THAT IS COMPLETED, AS WELL AS  
10 THE AUDIT THAT IS CURRENTLY BEING DONE.

11 BILL BETTERLY: THE SECOND CONCURS  
12 WITH THE MOTION?

13 WALLY LEIMGRUBER: YES.

14 ILENE ANDERSON: ALL IN FAVOR.

15 [ALL IN FAVOR SAID AYE.]

16 AND OPPOSED.

17 [ALL OPPOSED RAISED THEIR HAND.]

18 LET THE RECORD REFLECT TEN IN FAVOR  
19 AND TWO OPPOSED.

20 (AUDIENCE APPLAUSE.)

21 BILL BETTERLY: MADAM CHAIR, ANOTHER  
22 POINT OF ORDER.

23 DID THE COURT REPORTER MAKE NOTE  
24 THAT ONE OF THE MEMBERS HAS LEFT?

25 THE REPORTER: NO, BUT YOU JUST DID.

1 BILL BETTERLY: I THINK THAT NEEDS  
2 TO BE PART OF THE RECORD.

3 ILENE ANDERSON: AND ACTUALLY I  
4 THINK SHE LEFT AROUND 5:00.

5 OKAY. LET'S TAKE A QUICK BREAK. A  
6 TEN-MINUTE BREAK, THEN WE WILL RECONVENE IN  
7 TEN MINUTES.

8 (RECESS.)

9 ILENE ANDERSON: OKAY. I THINK THAT  
10 WE ARE NOW CONTINUING ANY COUNCIL ACTION FOR  
11 THE NEMO, NECO PLAN.

12 AND, ROY.

13 ROY DENNER: I HAVE TWO MOTIONS TO  
14 MAKE THAT I THINK WILL GO QUICKER THAN THE  
15 LAST MOTION.

16 THE FIRST ONE HAS TO DO WITH  
17 SOMETHING I TALKED ABOUT EARLIER. THE FACT  
18 THAT THERE ARE FIVE OHV AREAS BEING CLOSED BY  
19 THE NECO PLAN.

20 THAT'S FORD DRY LAKE, RICE VALLEY  
21 DUNES, PALEN DUNES, FORD DUNES, PALEN DRY  
22 LAKE.

23 I WOULD LIKE TO MAKE A MOTION THAT  
24 THE CLOSURE OF THESE AREAS BE WITHDRAWN FROM  
25 THE NECO PLAN OR THE NECO PLAN THAT'S

1       IMPLEMENTED SOONER OR LATER.  BECAUSE THE  
2       STRONGEST JUSTIFICATION FOR ANY OF THOSE  
3       CLOSURES IS THE FACT THAT THEY ARE  
4       UNDERUTILIZED.

5                   (AUDIENCE APPLAUSE.)

6                   RON KEMPER:  I WILL SECOND.

7                   ILENE ANDERSON:  DISCUSSION?

8                   BOB ELLIS:  WELL, I AM A SAND FAN.

9       BUT I GUESS I AM NOT A MOTORIZED SAND FAN,  
10      EVEN THOUGH I HAD A REAL GOOD TIME YESTERDAY  
11      RIDING AROUND IN THE SAND.

12                   AND ONE OF MY FAVORITE AREAS IS  
13      DUNES ALL OVER EASTERN CALIFORNIA AND NEVADA.  
14      AND I VISIT THEM, I LOOK AT THE SPECIES  
15      GROWING THERE FROM EUREKA DUNES, CRESENT DUNES  
16      IN NEVADA.  BIG DUNES, KELSO DUNES AND SOME OF  
17      THESE SMALLER DUNES.

18                   I WOULD LIKE TO SEE THEM PRESERVED.  
19      THEY ARE NOT A COMMON HABITAT.  THE PLANTS ARE  
20      DIFFERENT ON EVERY SINGLE ONE OF THOSE DUNES.  
21      THE INSECTS IN FACT ARE MANY TIMES TOTALLY  
22      DIFFERENT.

23                   THERE WASN'T A LOT OF JUSTIFICATION  
24      IN THE NECO PLAN FOR THAT ON WHY THEY WOULD  
25      CLOSE THAT.



1 I WOULD LIKE TO SEE SOME STUDIES  
2 THAT WOULD BRING FORTH THE DIFFERENT SPECIES  
3 GROWING THERE AND WHAT THE IMPACTS WOULD BE ON  
4 IT, WHETHER THEY REMAIN OPEN OR CLOSED.

5 AND I DON'T THINK THAT WAS  
6 PARTICULARLY BROUGHT OUT IN THE PLAN.

7 BILL BETTERLY: MADAM CHAIR, COULD I  
8 ASK A QUESTION OF TIM?

9 WHEN YOU PUT THESE PLANS FOR CLOSURE  
10 IN MOTION DO YOU CONSULT OR CONFER WITH THE  
11 COUNTY SUPERVISORS IN THAT COUNTY?

12 DO YOU UNDERSTAND MY QUESTION?

13 TIM SALT: I THINK SO.

14 JUST THROUGHOUT THE GLOBAL PLANNING  
15 THERE ARE COORDINATION MEETINGS WITH VARIOUS  
16 GROUPS.

17 AS FAR AS ANY KIND OF FORMAL  
18 CONSULTATION IN THE SENSE OF --

19 THROUGHOUT THE DEVELOPMENT OF THE  
20 PLAN THERE ARE COORDINATION MEETINGS HELD WITH  
21 THE VARIOUS ENTITIES AND INTERESTS THAT WOULD  
22 BE INVOLVED AS FAR AS ANY FORMALIZED  
23 CONSULTATION THAT THE COUNTY WANTS.

24 JIM REDDY: ACTUALLY I HEARD  
25 SOMETHING THAT I WOULD LIKE TO REQUEST THAT

1       YOU CHANGED THE MOTION.

2                   BOB MENTIONED THAT -- WHICH I DON'T  
3       KNOW ANY OF THESE DUNE AREAS AT ALL. I DON'T  
4       KNOW WHAT WE ARE TALKING ABOUT. EXCEPT I  
5       HEARD THAT APPARENTLY WE AGREE OR IT'S  
6       APPARENT THAT ADEQUATE STUDIES WEREN'T DONE.

7                   SO RATHER THAN JUST A BLANKET  
8       STATEMENT, ALSO IN THE INTEREST OF TRYING TO  
9       WORK WITH THE OTHER SIDE ONCE IN A WHILE, WHY  
10      DON'T WE -- I WILL SUGGEST THAT WE REVISE  
11      THE -- FOR A BLANKET WITHDRAWAL OF THE  
12      WITHDRAWAL SIMPLY STATING THAT THE CONSENSUS  
13      OF THE COUNCIL IS THAT THESE FIVE DUNE AREAS  
14      WERE WITHDRAWN WITHOUT ADEQUATE STUDIES AND WE  
15      REQUEST THAT ADEQUATE STUDY BE DONE BEFORE THE  
16      FINAL DECISION OR DETERMINATION IS MADE.

17                  ROY DENNER: I THINK IT'S ALWAYS  
18      TRUE THAT THE BLM HAS AN OPTION TO DO  
19      ENVIRONMENTAL STUDIES ON ANY USER AREA, BE IT  
20      MINING OR OHV RECREATION OR ROCKHOUNDING OR  
21      WHATEVER.

22                  IF THEY CAN SHOW THAT THERE IS AN  
23      IMPACT ON AN AREA THAT TRULY ENDANGERS A  
24      SPECIES, THEN THEY ARE REQUIRED BY LAW TO TAKE  
25      ACTION.

1                   BUT I GUESS I AM NOT INTERESTED IN  
2       SETTING -- IN PROMOTING THE IDEA THAT AN AREA  
3       THAT HAS BEEN OPEN TO OHV USE SHOULD SUDDENLY  
4       COME UNDER SCRUTINY TO DETERMINE, YOU KNOW,  
5       WHETHER WE ARE GUILTY, YOU KNOW, UNLESS WE CAN  
6       PROVE OURSELVES INNOCENT, WHICH TO ME IS WHAT  
7       THAT APPROACH SEEMS TO TAKE.

8                   I THINK SINCE THERE IS NO  
9       JUSTIFICATION IN THIS MANAGEMENT PLAN FOR  
10      THOSE CLOSURES, IT SHOULD BE SIMPLY REMOVED.

11                  AND IF THEY WANT TO COME BACK AT A  
12      LATER TIME WITH SOME KIND OF AN IMPACT  
13      STATEMENT SHOWING THAT THERE IS IN DEED AN  
14      IMPACT, THEN OBVIOUSLY WE HAVE TO ADDRESS IT.

15                  BUT I THINK IT'S ESPECIALLY  
16      IMPORTANT THAT THESE DUNES REMAIN OPEN TO OHV  
17      USE IN LIGHT OF THE FACT THAT WE ARE LOSING SO  
18      MUCH OF OUR DUNES IN THE GLAMIS AREA.

19                  (AUDIENCE APPLAUSE.)

20                  RON KEMPER:  MADAM CHAIR?

21                  ILENE ANDERSON:  RON.

22                  RON KEMPER:  ONE OF THE REASONS THAT  
23      I -- OR A COUPLE OF THE REASONS I AM  
24      SUPPORTIVE OF THE MOTION IS WITH THE  
25      UNDERSTANDING THAT THESE WERE REMOVED BECAUSE

1       OF LACK OF USE, IT APPEARED TO ME AND THE  
2       PEOPLE THAT I GOT TESTIMONY FROM THAT LAST  
3       THANKGIVING'S EVENT, THOUGH UNUSUAL, CAN  
4       CERTAINLY OCCUR AGAIN.

5               AND IT APPEARED THAT A LOT OF THE  
6       SOCIAL PROBLEMS THAT WE HAD WERE CAUSED FROM  
7       OVERCROWDING.

8               I CAN TELL YOU FROM MANAGING LARGE  
9       BUSINESSES THAT HAVE TO DO WITH PEOPLE AND THE  
10      MANAGEMENT OF PEOPLE, IF YOU HAVE ROWDIES,  
11      THEY TEND TO FIND THEMSELVES IF THEY HAVE  
12      ENOUGH ROOM. THEY TEND TO CONGREGATE, YOU  
13      KNOW, WHERE THEY WANT TO DO THEIR ACTIVITY.

14              AND GIVEN ROOM, FAMILIES WILL  
15      CONGREGATE WHERE THEY WANT TO DO THEIR  
16      ACTIVITIES. THEY WILL KIND OF SEARCH OUT  
17      THEIR OWN AREAS.

18              AND WHAT THAT DOES FROM A SERVICES  
19      STANDPOINT IS WE HAVE BEEN TALKING ABOUT  
20      MULTIDEPTH. OR MULTIAGENCY TASK FORCE.

21              IT WILL BE A LOT EASIER TO HIT ONE  
22      OR TWO SET OF DUNES WHERE THE CONCENTRATED SET  
23      OF BAD ACTORS ARE THAN IT WILL BE TO TRY TO  
24      PULL THEM OUT OF THE 200,000 MIX.

25              SO I THINK FROM THE SERVICES

1       STANDPOINT OR PROVIDING SERVICES THAT BY  
2       DISPERSING OR ALLOWING THEM TO DISPERSE AND  
3       SEGREGATE THEMSELVES, WHICH THEY WILL DO, IT  
4       MAY MAKE IT EASIER FROM A MANAGEMENT  
5       STANDPOINT AND CALL FOR SERVICES.

6               JON MCQUISTON:   JUST A COMMENT.

7               FROM WHAT I AM HEARING OF THE  
8       DISCUSSION, THE RECOMMENDATIONS WERE ON THE  
9       BASIS OF LACK OF USE.

10              AND ON ITS FACE LACK OF USE IS NOT  
11      IN TERMS -- IT'S NOT A SIGNIFICANT ENOUGH  
12      IMPACT ON THE RESOURCE TO JUSTIFY THAT LEVEL  
13      OF RESTRICTED ACTIVITY.

14              I AM MORE THAN COMFORTABLE  
15      SUPPORTING THE MOTION.   HOWEVER, IN THE  
16      INTERIM THAT, YOU KNOW, IF FURTHER STUDIES CAN  
17      INDICATE A RELATIONSHIP BETWEEN THE  
18      RECOMMENDED ACTION, YOU KNOW, THAT THIS WILL  
19      LIKELY IMPAIR THE RECOVERY OF SOME SPECIES,  
20      THEN WE SHOULD -- WE SHOULD TAKE A LOOK AT IT.

21              BUT ABSENT THAT I THINK WE SHOULD  
22      WITHDRAW THEM.   AND IF THERE IS SCIENTIFIC  
23      DATA OUT THERE THAT RISES TO THAT LEVEL OF  
24      SIGNIFICANCE, THEN WE CONSIDER PUTTING THEM  
25      BACK INTO PLAY.

1                   BUT SIMPLY A LACK OF USE DOES NOT  
2       SEEM TO RISE TO THE LEVEL OF SIGNIFICANCE THAT  
3       IT WARRANTS THAT LEVEL OF RESTRICTION.

4                   ILENE ANDERSON:  I WILL CALL THE  
5       QUESTION.

6                   ALL THOSE IN FAVOR OF THE MOTION.

7                   [ALL IN FAVOR SAID AYE.]

8                   OPPOSED.

9                   [ALL OPPOSED RAISED THEIR HAND.]

10                  (AUDIENCE APPLAUSE.)

11                  LET THE RECORD REFLECT THAT TEN  
12       SUPPORT AND TWO DISSENT.

13                  ROY DENNER:  THE OTHER MOTION I HAVE  
14       IS VERY SIMILAR TO THE MOTION I MADE THIS  
15       MORNING RELATIVE TO THE IMPERIAL SAND DUNES  
16       RAMP.

17                  I THINK BOTH OF THESE PLANS --  
18       NEITHER ONE OF THEM CURRENTLY ADDRESS THE  
19       RECREATION ELEMENT, THEY ONLY ADDRESS THE  
20       ENVIRONMENTAL ELEMENT.

21                  I THINK BOTH OF THESE PLANS NEED TO  
22       HAVE THE PROVISION FOR MITIGATING IMPACTS ON  
23       ALL OTHER USERS, WHICH THEY DO NOT CURRENTLY  
24       HAVE.

25                  WALLY LEIMGRUBER:  I SECOND THAT

1 MOTION.

2 ILENE ANDERSON: DISCUSSION.

3 RON KEMPER: I MAY BE MISTAKEN, BUT  
4 I THOUGHT WE VOTED ON THIS MOTION ALREADY.

5 ROY DENNER: NO, WE VOTED THIS  
6 MORNING ON THE IMPERIAL SAND DUNES. WE VOTED  
7 TO INCLUDE A MITIGATION FOR IMPACTS ON THE  
8 IMPERIAL SAND DUNES RAMP THIS MORNING.

9 NOW WE ARE TALKING ABOUT THE NECO  
10 AND NEMO PLAN. I WOULD LIKE TO SEE THE SAME  
11 PROVISION IN THOSE PLANS TO PROVIDE FOR  
12 MITIGATING IMPACTS ON ALL USERS, IN PARTICULAR  
13 RECREATION.

14 (AUDIENCE APPLAUSE.)

15 RON KEMPER: ALL USERS INCLUDING NON  
16 -- IT'S GETTING LATE. NONRENEWABLE RESOURCES  
17 AND RENEWABLE RESOURCES.

18 ROY DENNER: YEAH, EVERYTHING. THE  
19 MINING INTEREST, THE ROCKHOUNDS, OHV USERS,  
20 EQUESTRIANS. WHOEVER MIGHT BE IMPACTED BY THE  
21 IMPLEMENTATION OF THE PLAN.

22 JIM REDDY: TAKING OUT THE WORD IN  
23 PARTICULAR "RECREATIONS." THIS MORNING IN THE  
24 SAND DUNES IN PARTICULAR RECREATION MADE  
25 SENSE. BUT FOR THIS I THINK IT'S JUST ALL

1       USERS.

2                   ROY DENNER:  I WILL GO ALONG WITH  
3       THAT.

4                   RON KEMPER:  WILL THE SECOND AMEND,  
5       AS WELL?

6                   WALLY LEIMGRUBER:  THE SECOND  
7       CONCURS.

8                   ILENE ANDERSON:  DISCUSSION?

9                   I WOULD JUST LIKE TO POINT OUT THAT  
10      I THINK THIS TYPE OF MOTION HAS SOMEWHAT  
11      CIRCULAR REASONING IN THE RESPECT THAT IF ONE  
12      OF YOUR -- SAY A ROAD IS CLOSED AND YOU OPEN  
13      ANOTHER ONE ADJACENT, IN A DIFFERENT AREA,  
14      WHATEVER, THAT THEN IMPACTS MY RECREATION  
15      WHICH IS GOING OUT AND BOTANIZING, WHICH MEANS  
16      THAT THEN ANOTHER AREA WOULD NEED TO BE SET  
17      ASIDE OR, YOU KNOW, CONSIDERED TO BE CONSERVED  
18      FOR MY RECREATION WHICH IS BOTANIZING.

19                  SO I JUST WANT TO ADD THAT COMMENT.

20                  ROY DENNER:  THAT LOGIC ASSUMES THAT  
21      ALL AREAS ARE SUPER SENSITIVE TO ENVIRONMENTAL  
22      IMPACTS.

23                  NOW, I CAN CONCEIVE OF A SITUATION  
24      WHERE WE WOULD ALL AGREE THAT AN OHV AREA OR A  
25      MINING AREA SHOULD BE CLOSED BECAUSE THERE IS



1       A SIGNIFICANT IMPACT ON A TRULY ENDANGERED  
2       SPECIES.

3               AND A SIMILAR OPERATION COULD BE  
4       ESTABLISHED IN THE NEXT COUNTY WHERE THE  
5       ENVIRONMENT IS NOT NEARLY AS SENSITIVE.

6               IT DOESN'T MEAN THAT THE MITIGATION  
7       HAS TO IMPACT THE ENVIRONMENT SIMILARLY IN THE  
8       SECOND LOCATION AS IT DID IN THE FIRST  
9       LOCATION.

10              ILENE ANDERSON:  BUT THAT'S ASSUMING  
11      THAT I LIKE TO BOTANIZE IN AREAS WITH, YOU  
12      KNOW, HIGH SPECIES DIVERSITY AND UNIQUE  
13      PLANTS, AND THAT JUST ISN'T THE CASE.

14              ANYWAY, I WANTED TO MAKE THAT POINT.

15              JON MCQUISTON:  JUST A COMMENT.

16              I AM GOING TO SUPPORT THE MOTION.  
17      BECAUSE TO ME WHAT YOU ARE REALLY ASKING IS  
18      THAT WE CONSIDER THE CUMULATIVE IMPACTS ON ALL  
19      THESE OTHER USES.  AND WHERE THEY RISE TO A  
20      LEVEL THAT THEY NEED TO BE MITIGATED, THAT  
21      THEY WILL.

22              THAT'S BEEN A MISSING INGREDIENT.  
23      AND AS I SAID EARLIER TODAY, I DON'T THINK  
24      CLINTON EVER CONTEMPLATED THE OTHER MULTIPLE  
25      USES THEN HAVE THE LEFTOVERS.

1                   AND THERE WAS A SERIES OF MANAGEMENT  
2           PLANS AND MANAGEMENT DECISIONS.  THESE ARE THE  
3           THINGS THAT GET FOCUSED INTO SMALLER AND  
4           SMALLER AND MORE INTENSIVE, THEN THEREFORE  
5           MORE AN IMPACT.

6                   AND THAT WHEN WE ADDRESS MANAGEMENT  
7           PLANS WE SHOULD LOOK AT THE CUMULATIVE IMPACTS  
8           ON THESE OTHER USES.

9                   AND THERE MUST BE SOME SORT OF  
10          METHODOLOGY TO IDENTIFY MITIGATION WHEN THAT  
11          OCCURS.

12                   ILENE ANDERSON:  I CALL FOR THE  
13          VOTE.  ALL OF THOSE IN FAVOR OF THE MOTION.

14                   [ALL IN FAVOR SAID AYE.]

15                   OPPOSED.

16                   [ALL OPPOSED RAISED THEIR HAND.]

17                   LET THE RECORD REFLECT TEN IN  
18          SUPPORT AND TWO DISSENT.

19                   (AUDIENCE APPLAUSE.)

20                   OKAY.  ANY OTHER COUNCIL DISCUSSION  
21          OR ACTION ITEMS BEFORE WE OPEN IT UP TO THE  
22          PUBLIC COMMENTS NOT ON THE AGENDA?

23                   WALLY LEIMGRUBER:  JUST A BRIEF  
24          DISCUSSION.

25                   IT'S BEEN A LONG DAY AND WE ARE

1       TIRED, SO I AM GOING TO MAKE THIS BRIEF.

2               I THINK WE NEED TO LITERALLY GIVE A  
3       DEBT OF GRATITUDE TO OUR BLM OFFICES.

4               WE ENJOY OUR THANKSGIVING, WE ENJOY  
5       OUR CHRISTMAS, WE ENJOY OUR HOLIDAYS, BUT THE  
6       BLM STAFF HAS TO GO OUT INTO THESE AREAS.

7               THEY GO OUT THERE AND GIVE UP THEIR  
8       FAMILY TIME TO SECURE THOSE PREMISES FOR US TO  
9       ENJOY.

10              A LOT OF DISCUSSION HAS BEEN SAID  
11       WHILE WE WERE GOING OUT THERE AND INCREASING  
12       LAW ENFORCEMENT, THIS IS GOING TO HAVE PEOPLE  
13       THAT HAVE TO SACRIFICE THEIR TIME COMING DOWN  
14       HERE.

15              AND I WANT TO MAKE SURE THAT THE BLM  
16       OFFICES ALL OVER THIS CALIFORNIA DESERT  
17       CONSERVATION AREA -- IN FACT, THERE HAS BEEN  
18       OTHER OFFICERS THEY HAVE ACTUALLY  
19       BROUGHT IN -- THAT THEY ARE THANKED.

20              WE APPRECIATE THEM COMING DOWN TO  
21       OUR AREA AND MANAGING 190,000 PEOPLE. THIS IS  
22       A TASK THAT IS -- THEY HAVE TO BE ON THEIR  
23       TOES AT ALL TIMES.

24              AND MIKE POOL ALL THE WAY DOWN FROM  
25       TIM SALT TO OUR LOCAL OFFICE, WE APPRECIATE

1       THEIR PARTICIPATION AND WORKING WITH US AS A  
2       LOCAL GOVERNING BOARD AND MAKING SURE THAT WE  
3       HAVE THESE AREAS MANAGED IN A WAY THAT ALL OF  
4       US CAN ENJOY THE MULTIPLE USES, AND I SAY  
5       THANK YOU.

6                       (AUDIENCE APPLAUSE.)

7                       BILL BETTERLY:  I WOULD LIKE IT  
8       NOTED IN AN EARLIER DISCUSSION THAT WE HAD AND  
9       I HAVE HAD IT WITH TIM, BUT I WOULD LIKE TO  
10      HAVE IT FOR THE RECORD.

11                      WE HAD -- I GUESS YOU HAD HIRED  
12      PEOPLE OUT AND THEY HIRED CH2MHILL WITH  
13      REGARDS TO THE RECREATIONAL VEHICLES IN THE  
14      IMPERIAL AREA.

15                      BUT YESTERDAY WHEN YOU PEOPLE WERE  
16      EATING SAND AND I WAS EATING IT, TOO, BUT I  
17      WAS TAKING A LITTLE SURVEY AROUND WHATEVER  
18      THAT POD WAS THAT WE WERE AT AND CHECKING THE  
19      LICENSE PLATE FRAMES.

20                      YOU HAD PEOPLE FROM SAN BERNARDINO  
21      COUNTY, LOS ANGELES COUNTY, ORANGE COUNTY, SAN  
22      DIEGO COUNTY, KERN COUNTY, BY THE WAY.  YOU  
23      HAD IT FROM NEVADA, YOU HAD IT FROM ARIZONA  
24      AND EVEN SOME FROM OREGON.

25                      BUT I HOPE IN THE STUDY THAT

1 CH2MHILL IS DOING THERE IS ALSO REFLECTING THE  
2 DOLLARS AND CENTS THAT THOSE VEHICLES SHOW IN  
3 THAT PARTICULAR AREA. AND THAT WAS ONLY ONE  
4 AREA.

5 AND I BELIEVE THAT -- AND IT'S TOO  
6 BAD THAT YOU CAN'T GET HALF OF THOSE  
7 REGISTERED IN IMPERIAL COUNTY, WALLY, BECAUSE  
8 YOU WOULD MAKE A FORTUNE, I WILL TELL YOU.

9 BUT I DO BELIEVE THAT THEIR STUDIES  
10 SHOULD GO BROADER THAN JUST IMPERIAL, SO THAT  
11 YOU WILL HAVE SOME IDEA OF THE DOLLARS AND  
12 CENTS THAT RECREATE IN THIS GENERAL AREA.

13 (AUDIENCE APPLAUSE.)

14 TIM SALT: THE ECONOMIC IMPACT  
15 PORTION OF THE DOCUMENT IS VERY IMPORTANT TO  
16 US, AS WELL, AND WE NEED TO CAPTURE THE FULL  
17 ECONOMIC EFFECTS OF THE PROJECT.

18 AND I ASSURE YOU THAT IT WILL BE  
19 BEYOND JUST IMPERIAL COUNTY.

20 ILENE ANDERSON: ANY OTHER COUNCIL  
21 DISCUSSION BEFORE WE GO TO THE PUBLIC COMMENT?

22 OKAY. I WOULD LIKE TO OPEN UP THE  
23 PUBLIC COMMENT PERIOD. THIS IS ON ITEMS NOT  
24 ON THE AGENDA.

25 AND WE WILL START OFF WITH VICKI

1       WARREN, WHO HAS EIGHT MINUTES, THANKS TO  
2       OTHERS THAT DONATED THEIR TIME. SHE WILL BE  
3       FOLLOWED BY JULIE ALLEN.

4               VICKI WARREN: HI. I AM VICKY  
5       WARREN.

6               FIRST I WOULD LIKE TO SUBMIT THE  
7       LIST OF MISSING RECORDS THAT WE HAVE TALKED  
8       ABOUT THE LAST TIME AND THE TIME BEFORE AND  
9       THE TIME BEFORE THAT. THESE ARE CLEAR FROM  
10      RIVERSIDE. I WAS SUPPOSED TO GET THESE GUYS  
11      TO YOU, SO I AM DOING THAT NOW IN WRITING.

12              THE NEXT THING I WAS WONDERING  
13      ABOUT, THOUGH, IS I HAVE NOT RECEIVED MY  
14      RESPONSES TO MY DESERT TORTOISE PRESENTATION  
15      QUESTIONS.

16              I THINK WE ALL REMEMBER AT THE END  
17      OF THE LAST MEETING I SUBMITTED A LIST OF  
18      QUESTIONS AND SHE WAS SUPPOSED TO GET THOSE  
19      BACK TO ME IN SOME WAY.

20              THE LAST I LOOKED THEY WEREN'T  
21      POSTED ON THE BOARD AND I DON'T SEE THEM HERE  
22      IN ANY OF THE HANDOUTS.

23              IS THAT NOT BEING DONE OR --

24              TIM SALT: AS I RECALL THE WAY THAT  
25      WAS LEFT, DR. AVERY MADE A COMMITMENT TO YOU

1 TO GET YOU THE RESPONSES TO THOSE QUESTIONS.

2 AND I TALKED ABOUT THAT LAST WEEK.

3 SHE DOES INTEND TO GET YOU THE QUESTIONS IN  
4 RESPONSE.

5 VICKI WARREN: THE POINT TO THAT WAS  
6 THAT THEY WERE SUPPOSED TO BE -- SINCE THE  
7 QUESTIONS WERE INCORPORATED INTO THE RECORD,  
8 THE ANSWERS WERE ALSO SUPPOSED TO BE  
9 INCORPORATED INTO THE RECORD.

10 IF SHE IS RESPONDING ONLY TO ME, HOW  
11 AM I GOING TO DO THAT? SHOULD I ADDRESS YOU  
12 DIRECTLY, SHOULD I E-MAIL THEM TO YOU, MAIL  
13 THEM? HOW DO WE GET THAT DONE?

14 ILENE ANDERSON: THAT'S A GREAT  
15 QUESTION.

16 I DON'T KNOW WHAT THE ANSWER IS TO  
17 THAT, EXCEPT THAT IF YOU -- I WOULD BE GLAD TO  
18 ACCEPT THOSE COMMENTS WHEN THEY COME IN AND  
19 MAKE SURE THAT THEY GET AMENDED TO THE  
20 MINUTES.

21 VICKI WARREN: OKAY.

22 BILL BETTERLY: BUT AT THE SAME TIME  
23 WE WON'T KNOW THE QUESTIONS UNLESS YOU GET  
24 THEM TO US.

25 ILENE ANDERSON: I WILL BE GLAD TO

1       DISTRIBUTE -- WELL, THE QUESTIONS HAVE ALREADY  
2       BEEN IN THE MINUTES, BUT IT'S THE ANSWERS THAT  
3       MS. WARREN IS CONCERNED ABOUT.

4               AND I WILL BE GLAD, OF COURSE, TO  
5       SHARE THOSE WITH THE ADVISORY COMMITTEE.

6               BUT I WANTED TO REASSURE YOU THAT I  
7       WILL MAKE SURE THEY GET AMENDED INTO THE  
8       MINUTES OF THE MEETING SO THAT THEY ARE THERE  
9       FOR THE PUBLIC RECORD.

10              VICKI WARREN:  OKAY.  I APPRECIATE  
11      THAT.

12              ALL RIGHT.  THOSE ARE THOSE FIRST  
13      TWO.

14              THE NEXT THING I WANT TO ADDRESS IS  
15      A QUESTION OF BIAS.  AND I THINK THAT THERE  
16      ARE A LOT OF US IN THE OFF-ROAD COMMUNITY THAT  
17      FEEL THE BLM IS SOMEWHAT BIASED AND WE DON'T  
18      WANT THAT TO BE PERVASIVE WITH THE DAC  
19      MEMBERS, ALSO.

20              I HAVE SPECIFICS.  I WAS VERY  
21      CONCERNED -- I WAS HAPPY TO SEE THAT YOU HAD  
22      COOPERATORS ASSISTING IN PLANNING EFFORTS.  
23      THAT WAS VERY NICE.  BUT THERE WERE NO  
24      RECREATIONISTS IN THERE.

25              AND 35 PERCENT OF THE NECO COMMENTS



1       AND 38 PERCENT OF THE NEMO COMMENTS WERE ON  
2       THE RECREATION ISSUE.

3               WHY WAS THERE -- NOW, THIS IS A  
4       DIRECT QUESTION.   WHY WAS THERE NO  
5       RECREATIONIST GIVING YOU A PRESENTATION TODAY  
6       OR WHY ARE THEY NOT INCLUDED IN YOUR DECISIONS  
7       REGARDING NECO AND NEMO?   WHY ARE THEY NOT ONE  
8       OF THE COOPERATORS ASSISTING IN THE PLANNING  
9       EFFORTS?

10              ILENE ANDERSON:   YOU KNOW, I DON'T  
11       THINK THAT ANY -- WELL, MAYBE RANDY COULD  
12       ANSWER THAT.   I WASN'T A COOPERATOR ON THE  
13       NECO PLAN, SO --

14              I KNOW THAT THERE WERE OHV  
15       REPRESENTATIVES THERE.   BUT I CAN'T NAME  
16       NAMES, BECAUSE I DIDN'T PARTICIPATE IN THAT  
17       PROCESS.

18              VICKI WARREN:   I AM ASKING WHY  
19       WASN'T THERE ONE HERE TODAY.   NOT WHY WASN'T  
20       THERE ONE --

21              I MEAN, OBVIOUSLY THERE WERE SOME  
22       DISCUSSIONS BETWEEN SOME OF THE GROUPS,  
23       BECAUSE I HAVE TALKED TO PEOPLE FROM CAL  
24       FOUR-WHEEL, AND SO FORTH.

25              YOU HAVE TO UNDERSTAND MY CONCERN.

1 WE SIT IN THE AUDIENCE AND WE SEE THAT THESE  
2 PEOPLE GET UP AND THEY DISCUSS THESE OTHER  
3 ISSUES.

4 AND 35 PERCENT, 38 PERCENT OBVIOUSLY  
5 FAR OUTWEIGHS THE OTHER INTERESTS IN THESE TWO  
6 PLANS, BUT WE WERE NOT GIVEN THE OPPORTUNITY.

7 I DOESN'T HAVE TO BE ME, IT DOESN'T  
8 HAVE TO BE ANY ONE GROUP. PICK SOMEBODY. A  
9 RECREATIONIST THAT CAN GIVE YOU THEIR VIEWS  
10 ALSO.

11 ILENE ANDERSON: I THINK THAT IS  
12 PART OF THE POINT OF THE PUBLIC COMMENT  
13 PERIOD.

14 VICKI WARREN: UH-HUH. OKAY.

15 SO WHAT WAS THE POINT OF THE OTHER  
16 TWO THAT WERE HERE THEN? I MISSED -- WHAT DID  
17 I MISS? WHAT WAS THE POINT OF THE COOPERATORS  
18 ASSISTING IN PLANNING EFFORTS, THE PEOPLE  
19 GIVING YOU A PRESENTATION TODAY?

20 BILL BETTERLY: MADAM CHAIR, CAN I  
21 CLARIFY SOMETHING?

22 YOU ARE TALKING ABOUT NORM AND DR.  
23 EDITH ALLEN AND THOSE ON THE TORTOISE? IS  
24 THAT WHAT YOU ARE TALKING ABOUT?

25 VICKI WARREN: NO, NO, NO. I AM

1 TALKING ABOUT THERE WAS ONE THAT WAS ON THE  
2 SCHEDULE AND THEN THERE WAS ONE THAT WAS A  
3 STUDENT FROM THE UNIVERSITY THAT WASN'T ON THE  
4 SCHEDULE.

5 I GUESS WHAT I AM CONCERNED WITH IS  
6 THAT IT SEEMS UNFAIR TO ME THAT THIS TIME WAS  
7 TAKEN UP -- YOUR TIME WAS TAKEN UP BY THESE  
8 TWO VERY SPECIFIC INTEREST GROUPS, BUT NOT BY  
9 THE ONE THAT HAS THE STRONGEST ISSUE WITH  
10 THESE PLANS.

11 JIM REDDY: I THINK WE HAD A  
12 DISCUSSION ON THIS LAST NIGHT AND I THOUGHT  
13 THIS WAS SUPPOSED TO BE A PUBLIC COMMENT  
14 PERIOD. YOU SHOULD BE MAKING A COMMENT TO US  
15 AND WE SHOULD CONSIDER IT AND DISCUSS IT  
16 LATER.

17 VICKI WARREN: OKAY.

18 JIM REDDY: BUT I THOUGHT WE AGREED  
19 THIS WAS NOT A DEBATE.

20 VICKI WARREN: OH, THAT'S FINE.

21 JIM REDDY: THIS IS A PUBLIC COMMENT  
22 PERIOD.

23 VICKI WARREN: THAT'S FINE. AND  
24 THAT'S ACTUALLY WHAT I AM TRYING TO DO. I  
25 JUST WANT TO BRING THESE THINGS TO LIGHT SO

1        THAT YOU UNDERSTAND WHY WE FEEL THE WAY WE DO.

2                THE NECO AND NEMO PLANS THROUGHOUT,  
3        THEY DISCUSSED CLOSURES.    CONSISTENTLY  
4        CLOSURES.

5                I COULDN'T FIND IN THE NECO AND NEMO  
6        PLAN WHERE ANY OPENINGS WERE DISCUSSED.    AND  
7        THAT AGAIN WAS JUST A MATTER OF BIAS.

8                I CAME ACROSS SOMETHING DISTURBING  
9        NOT LONG AGO, QUITE BY ACCIDENT, DOING SOME  
10       RESEARCH ON THE INTERNET IN ANOTHER WAY.

11               AND I DISCOVERED THAT, ILENE  
12       ANDERSON, I KNOW YOU ARE A PART OF THE COUNCIL  
13       ON THE NATIVE PLANT SOCIETY, THAT YOU ARE VERY  
14       INVOLVED IN THAT.

15               I AM HOPING THAT NONE OF THAT HAS  
16       ANYTHING TO DO WITH YOUR DECISIONS HERE.    YOU  
17       HAVE A LOT OF WEIGHT ON YOUR SHOULDERS.

18               AND, TIM SALT, I HAVE HERE IT SHOWS  
19       THAT YOU WERE VERY INVOLVED WITH THE WILDLANDS  
20       PROJECT.

21               AGAIN, I HAVE TO LOOK AT THIS AS --  
22       AND IF THAT'S NOT TRUE, THEN I WOULD LOVE TO  
23       HAVE A CHANCE FOR YOU TO TELL ME IT'S NOT.  
24       BUT I DO HAVE REPORTS HERE THAT WE CAN PASS  
25       OUT.

1 I AM ONLY TRYING TO POINT THINGS OUT  
2 SO THAT YOU UNDERSTAND WHEN WE FEEL AS IF WE  
3 ARE BEING TREATED BADLY OR ARE NOT BEING  
4 TREATED FAIRLY, THERE IS A BASIS FOR IT MOST  
5 OF THE TIME.

6 THAT'S IT.

7 ILENE ANDERSON: THANK YOU.

8 (AUDIENCE APPLAUSE.)

9 TIM SALT: LADIES AND GENTLEMEN,  
10 THERE HAS BEEN A COMMENT AND I FEEL COMPELLED  
11 TO RESPOND.

12 I HAVE HAD NOTHING TO DO WITH THE  
13 WILDLANDS PROJECT. I AM VERY INTERESTED IN  
14 YOUR DOCUMENTATION. AND I DON'T THINK PEOPLE  
15 OUGHT TO BE ABLE TO MAKE ACCUSATIONS LIKE THAT  
16 UNCHALLENGED IN THIS FORM.

17 ILENE ANDERSON: JULIE ALLEN.

18 VICKI WARREN: COULD I JUST SAY THIS  
19 WAS NOT INTENDED TO BE AN ACCUSATION, IT WAS  
20 MERELY INTENDED TO BE A NOTIFICATION OF  
21 LETTING YOU GUYS KNOW THAT THIS IS WHAT WE  
22 SEE. THIS IS WHAT WE FEEL. THIS IS WHAT WE  
23 READ.

24 THIS WAS BROUGHT TO MY ATTENTION.  
25 NOW, IF THIS IS INCORRECT, THIS IS PUBLIC

1 KNOWLEDGE. IT WAS AN ARTICLE THAT WAS WRITTEN  
2 AND IT'S CERTAINLY NOT MY OWN. I DIDN'T WRITE  
3 THE ARTICLE AND I DIDN'T DO THE RESEARCH.

4 THE REPORTER: AND I AM GOING TO  
5 HAVE YOU HAND THESE TO THEM PERSONALLY.

6 VICKI WARREN: OH, OKAY.

7 ILENE ANDERSON: JULIE ALLEN.

8 JULIE ALLEN: I WILL PASS, THANK  
9 YOU.

10 ILENE ANDERSON: DALE DAVIS,  
11 FOLLOWED BY JIM ARBOGAST.

12 DALE DAVIS: WELL, GOOD EVENING. I  
13 DIDN'T THINK WE WOULD BE HERE THIS LONG.

14 FIRST I WOULD LIKE TO THANK THE  
15 MEMBERS OF DAC FOR PASSING SO MANY WONDERFUL  
16 MOTIONS TODAY AND RESTORING A LITTLE BIT OF  
17 OUR FAITH IN THE FACT THAT WE HAVE SOME  
18 RESPONSIBLE PEOPLE ON THE COMMITTEE.

19 ESPECIALLY THE MITIGATION. THAT'S  
20 BEEN AN IMPORTANT ISSUE FOR ALL OF US. IT  
21 JUST SEEMS LIKE WE LOSE AND LOSE AND LOSE, AND  
22 I AM REALLY HAPPY TO SEE FINALLY SOME STEPPING  
23 UP TO THE PLATE AND TRYING TO FORCE THE BLM TO  
24 DO SOME MITIGATING.

25 THE QUESTION ON THE TORTOISE

1 RECOVERY ISSUE. WE SEEM TO BE POPULATING LIKE  
2 MANY POPULATIONS OF WOLVES, BIGHORN SHEEP,  
3 CARNIVORES AND VARIOUS PLANT SPECIES, YET WHY  
4 ISN'T THAT AN ADEQUATE REMEDY FOR THE DESERT  
5 TORTOISE.

6 THEY ARE FAIRLY EASY TO RAISE. WE  
7 HAVE HAD TO EUTHANIZE THEM. YOU FIND THEM IN  
8 BACK YARDS ALL OVER THE PLACE.

9 SO LET'S START LOOKING AT OTHER  
10 METHODS RATHER THAN CLOSING THE LAND.

11 AS FAR AS ROAD CLOSURES AND ROUTES,  
12 I SAY DON'T DESIGNATE ANY ROUTES. YOU  
13 BASICALLY ARE GOING TO HAVE TO GO THROUGH THE  
14 NEPA PROCESS TO CLOSE OUR ROUTES. WE WANT  
15 THEM ALL.

16 LACK OF DATA ON THE TORTOISE. YOUR  
17 EXPERTS ADMIT THAT YOU DON'T HAVE ENOUGH DATA.  
18 I DON'T SEE HOW YOU CAN POSSIBLY DO A PLAN.  
19 IF IT WERE MY BUSINESS, I COULDN'T BE IN  
20 BUSINESS.

21 I ALSO DON'T SEE HOW YOU COULD  
22 POSSIBLY SETTLE A LAWSUIT IF YOU DON'T HAVE  
23 ENOUGH DATA.

24 THERE WAS ANOTHER ISSUE RAISED  
25 EARLIER. MADAM CHAIR ASKED A QUESTION DURING

1 ONE OF THE ROUNDS OF DISCUSSIONS OF HOW MANY  
2 STUDIES WERE NECESSARY.

3 AND AT THIS POINT IN TIME, AS A  
4 TAXPAYER, I SAY ONE STUDY. BUT FINISH IT.

5 THANK YOU.

6 (AUDIENCE APPLAUSE.)

7 ILENE ANDERSON: JIM ARBOGAST,  
8 FOLLOWED BY JOHN STEWART.

9 JIM ARBOGAST: YES, MY NAME IS JIM  
10 ARBOGAST WITH CORVA.

11 AND I WANT TO THANK THE DAC HERE  
12 THAT RESTORED A LOT OF FAITH. I SEE A LOT OF  
13 COMMON SENSE HERE. THANK YOU VERY MUCH.

14 I JUST WANT TO REITERATE, YOU KNOW,  
15 SOME THOUGHTS. AND I JUST WANT TO LET YOU  
16 KNOW THAT LET'S NOT FORGET THAT THE BLM IS A  
17 LAND OF MANY USES, WHICH IS MULTIPLE USE,  
18 WHICH MEANS ACCESS.

19 AND WITH ACCESS COMES ROUTES.  
20 ROUTES ARE HISTORIC ROADS, RUSTIC ROADS AND  
21 ALSO RS2477 ROUTES.

22 NOW, SAN BERNARDINO COUNTY HAS  
23 ASSERTED THEIR RIGHTS. AND I ENCOURAGE  
24 IMPERIAL TO DO LIKEWISE.

25 I WANTED TO TOUCH HISTORICALLY ON



1 THE CALIFORNIA DESERT DISTRICT THAT WITH THE  
2 GREEN STICKER PROGRAM THAT, YOU KNOW,  
3 HISTORICALLY THERE HAS BEEN CLOSE TO 200  
4 MILLION DOLLARS OVER THE COURSE OF THE GREEN  
5 STICKER PROGRAM THAT HAS BEEN, YOU KNOW,  
6 GRANTED TO THE CALIFORNIA DESERT DISTRICT.

7 NOW, WHAT'S UPSETTING TO MYSELF AND  
8 THE COMMUNITY THAT I REPRESENT IS THAT WE SEE  
9 MORE CLOSURES, LESS AND LESS OPPORTUNITIES.

10 THIS IS VERY FRUSTRATING. YOU HEARD  
11 A LOT OF THIS TODAY. I DON'T NEED TO KIND OF  
12 GO UP AND DOWN ON THAT.

13 BUT MY COMMUNITY IS STARTING TO FEEL  
14 THAT THOSE GRANT MONIES MAYBE AT THIS POINT  
15 SHOULD START TO BE GOING TO A DECLINE. WE  
16 SHOULD NOT BE REWARDING AND GIVING GRANTS WHEN  
17 WE HAVE HAD SOME WHO HAVE SUFFERED SO MUCH  
18 LOSS WHICH WE FEEL IS A HARM TO OUR COMMUNITY.

19 JUST RECENTLY TO SUPPORT THIS THERE  
20 HAS BEEN ABOUT TEN MORE CLOSURES THAT'S  
21 EQUATED TO CLOSE TO A MILLION ACRES.

22 EXAMPLE: THERE IS ANOTHER CLOSURE  
23 THAT JUST CAME THROUGH HERE ON THE PAINTED  
24 GORGE IN REGARDS TO THE SHEEP.

25 AND I WAS DISMAYED TO SEE THAT THE

1 CLOSURE PERIOD IS, YOU KNOW, FROM JANUARY UP  
2 TO JUNE BECAUSE THIS IS THE BREEDING SEASON  
3 FOR THE BIGHORN SHEEP.

4 I AM PERPLEXED, BECAUSE THERE IN DE  
5 ANZA BORREGO DESERT STATE PARK, WHICH IS VERY  
6 MUCH ADVOCATING THE PROTECTION OF THE DESERT  
7 AND THE BIGHORN SHEEP IS THAT THEY FORESEE A  
8 COMPLETELY DIFFERENT TIME FRAME FOR THE  
9 LAMBING SEASON.

10 NOW, THE DIFFERENCE HERE IS IN THIS  
11 LAMBING SEASON IT'S ALSO THE TIME OF THE  
12 OPPORTUNITY FOR THE OHV RECREATIONIST.

13 SO I THINK YOU SHOULD TALK TO THESE  
14 PEOPLE THAT ARE BIGHORN SHEEP EXPERTS TO FIND  
15 OUT WHEN THE LAMBING SEASON REALLY IS.

16 ILENE ANDERSON: MR. ARBOGAST, WOULD  
17 YOU WRAP UP YOUR COMMENTS?

18 JIM ARBOGAST: OKAY. I JUST WANT TO  
19 MENTION ANOTHER THING THAT I AM DISAPPOINTED  
20 IN WITH REGARDS TO THE BLM'S DESERT LAWSUIT.

21 I WAS THERE ON FEBRUARY 14TH. I  
22 HEARD JUDGE ALSUP SAY TWICE AT THAT HEARING  
23 THAT THE BLM IS CAVING IN.

24 AND THIS FURTHER UPSETS ME THAT IN  
25 CAVING IN LIKE THIS THE CENTER, THEY GET

1       ALMOST A HALF A MILLION DOLLARS IN TAXPAYERS'  
2       MONEY THAT THE BLM GIVES THEM.

3               SO I JUST WANT TO LET YOU KNOW THAT  
4       I AM VERY UPSET ABOUT THAT.

5               I ALSO WANT TO LET YOU KNOW THAT IN  
6       REGARDS TO THE DESERT TORTOISE, AND IT'S BEEN  
7       REITERATED HERE, AND YOU ALSO HAVE COME TO SEE  
8       THE POINT THAT, YOU KNOW, THE CURRENT RECOVERY  
9       AND RESOURCE PLANS AREN'T DOING SQUAT FOR  
10      THEM.

11              THAT YOU ARE ACTUALLY IN VIOLATION  
12      OF SECTION 9 OF THE ESA, THAT THIS IS SETTING  
13      YOU PEOPLE UP. IF YOU DON'T AMEND THESE PLANS  
14      THAT YOU ARE WALKING INTO A LAWSUIT.

15              AND I ENCOURAGE THE MULTIPLE USE  
16      COMMUNITY AND OHV RECREATION TO FOLLOW THROUGH  
17      WITH THAT.

18              THANK YOU.

19              (AUDIENCE APPLAUSE.)

20              ILENE ANDERSON: JOHN STEWART,  
21      FOLLOWED BY DAVID MATTHEWS.

22              JOHN STEWART: GOOD EVENING, LADIES  
23      AND GENTLEMEN. MY NAME IS JOHN STEWART. I AM  
24      WITH THE TIERRA DEL SOL FOUR-WHEEL DRIVE CLUB  
25      IN SAN DIEGO.

1                   AND I HAVE A QUESTION BASED ON THE  
2           BLM CENTER FOR BIOLOGICAL DIVERSITY LAWSUIT  
3           THAT I AM TRYING TO VERIFY SOME INFORMATION  
4           ON.

5                   IN THAT UNDER AGREEMENT NUMBER 5 OR  
6           STIPULATION NUMBER 5, ITEM 44 REFERENCED  
7           FURNACE CREEK AND BIRCH CREEK ROAD AREAS OF  
8           WHICH BLM HAD 45 DAYS TO REVIEW AND DETERMINE  
9           IF THERE WAS A RESOURCE IMPACT IN THAT AREA.

10                  THAT TIME FRAME IS LONG PASSED AND  
11           BEEN INFORMED INFORMALLY THAT BLM HAS FOUND NO  
12           RESOURCE ISSUES RELATED TO THESE PORTIONS OF  
13           ROADS.

14                  SO MY QUESTION IS, I CANNOT FIND  
15           ANYTHING IN VERIFICATION OF THIS THROUGH THE  
16           BLM WEBSITES OR IS THERE A FORMAL DECLARATION  
17           THAT THERE IS NO RESOURCE IMPACT IN THIS AREA?

18                  ILENE ANDERSON: I AM AFRAID I DON'T  
19           THINK ANY OF US COUNCIL MEMBERS HAVE THAT  
20           INFORMATION. I WOULD ENCOURAGE YOU TO CONTACT  
21           THE REPRESENTATIVE.

22                  JOHN STEWART: THAT'S WHY I BRING  
23           THIS UP. I WAS ASKED TO BRING IT UP AT THE  
24           DAC MEETING IN UNDERSTANDING THAT MAYBE MR.  
25           SALT COULD TAKE IT BACK TO STAFF IN ORDER TO

1 PROVIDE THE INFORMATION.

2 THE BLM WEBSITES, ALONG WITH THE  
3 ENTIRE DEPARTMENT OF INTERIOR WEBSITES, HAVE  
4 BEEN PULLED OFFLINE DUE TO A FEDERAL JUDGE'S  
5 ORDER BECAUSE THE INTEGRITY OF THE INFORMATION  
6 THERE CANNOT BE PROTECTED.

7 SO THAT INFORMATION IS NOW  
8 UNAVAILABLE TO THE PUBLIC, AND THIS IS A ONE  
9 AVENUE OF GETTING THE INFORMATION.

10 YOU HAVE MY ADDRESS ON THE SPEAKER  
11 COMMENT CARDS. I WOULD APPRECIATE A RESPONSE  
12 TO VERIFY IF THIS CLOSURE -- OR NOT CLOSURE.  
13 BUT IF THIS AREA HAS A FORMAL STATEMENT THAT  
14 THERE IS NO RESOURCE IMPACT IN THAT AREA.

15 ILENE ANDERSON: I CERTAINLY -- I  
16 DON'T KNOW EXACTLY HOW TO RESPOND TO THAT, YOU  
17 KNOW. BECAUSE WE CAN TAKE IT UNDER  
18 ADVISEMENT. AND I ENCOURAGE YOU TO CONTACT  
19 YOUR LOCAL BLM OFFICE. I AM SURE THAT THEY  
20 WOULD HAVE THE MOST RECENT INFORMATION.

21 JOHN STEWART: ALL RIGHT.

22 AND ALSO, ONE OTHER COMMENT IS I  
23 WOULD LIKE TO BRING TO THE ATTENTION OF THE  
24 DAC HERE, BACK IN 1963 CONGRESS RECOGNIZED THE  
25 INCREASING PRESSURES AND THE NEED FOR

1 RECREATIONAL ACTIVITIES FOR ALL AMERICANS.  
2 WITH THAT THEY PASSED PUBLIC LAW 8829 CALLED  
3 THE OUTDOOR RECREATION ACT OF 1963.

4 THIS ACT WAS AMENDED IN DECEMBER  
5 1996 BY PUBLIC LAW 104333, ALSO CALLED THE  
6 OMNIBUS PARKS PUBLIC LANDS MANAGEMENT ACT OF  
7 1966.

8 THE INTERESTING THING ABOUT THE  
9 BASIC LAW IS THAT MANDATED THAT THE PUBLIC  
10 LAND MANAGERS CONSIDER DEVELOPING RECREATIONAL  
11 OPPORTUNITIES ON PUBLIC LANDS.

12 AND SO I WOULD LIKE TO MAKE SURE  
13 THAT THIS LAW IS MAINTAINED AND LOOKED AT AND  
14 TAKEN IN CONTEXT WITH ALL OF THE OTHER LAWS  
15 AND NOT JUST CONVENIENTLY IGNORED.

16 THANK YOU.

17 (AUDIENCE APPLAUSE.)

18 ILENE ANDERSON: DAVID MATTHEWS.

19 DAVID A. MATTHEWS: HOW MUCH TIME  
20 ARE YOU GOING TO ALLOW ME?

21 ILENE ANDERSON: TWO MINUTES.

22 DAVID A. MATTHEWS: I WOULD LIKE TO  
23 REQUEST THEN THE YOUNG LADY'S TIME THAT  
24 BYPASSED OR PASSED.

25 AGAIN, DAVID MATTHEWS AND I AM FROM

1 RIDGECREST.

2 MAYBE THIS FIRST -- I HAVE A  
3 QUESTION, FIRST OF ALL. AND IT DOESN'T NEED  
4 TO BE ANSWERED HERE.

5 BUT WHEN THE MINUTES ARE PUBLISHED  
6 ON THE INTERNET, WHICH I DON'T KNOW, MAYBE  
7 THEY ARE NOT GOING TO BE THERE ANYMORE. THEY  
8 ARE DOUBLE-SPACED.

9 CAN I GET THOSE -- GET A COPY OF  
10 THOSE THAT ARE SINGLE-SPACED? BECAUSE I TRIED  
11 TO PRINT THEM OUT. AND I AM NOT -- NO WAY AM  
12 I GOING TO PRINT 37 PAGES OF DOUBLE-SPACED  
13 MINUTES.

14 YESTERDAY I WENT ON THE TOUR, AS I  
15 MENTIONED I BELIEVE EARLIER. AND I JUST WANT  
16 TO THANK EVERYBODY THAT PUT THAT TOGETHER. IT  
17 WAS VERY INFORMATIVE.

18 I FOUND THAT YESTERDAY WAS VERY  
19 APPROPRIATE, SINCE IT WAS THE 60TH ANNIVERSARY  
20 OF PEARL HARBOR, THAT I HAD THE OPPORTUNITY TO  
21 WALK ON THE SAME GROUND THAT SOME OF GENERAL  
22 PATTON'S TANKS HAD MANEUVERED OVER.

23 REGARDLESS OF WHAT YOU THINK HE DID  
24 OR DIDN'T DO TO THE DESERT, IF HE HADN'T BEEN  
25 HERE MAYBE WE WOULDN'T BE HERE.

1 (AUDIENCE APPLAUSE.)

2 A LOT HAS CHANGED IN THOSE 60 YEARS,  
3 BELIEVE ME, ESPECIALLY WHEN IT COMES TO THE  
4 GOVERNMENT. WE DIDN'T HAVE AN EPA BACK THEN.  
5 I AM NOT SURE HOW MUCH OF THE BUREAU OF  
6 INTERIOR WAS ACTUALLY IN EXISTENCE THEN.

7 BUT THERE IS A LOT OF NEW  
8 REGULATIONS AND LAWS THAT HAVE BEEN PUT INTO  
9 EFFECT IN THOSE 60 YEARS WHICH I DON'T THINK  
10 WE NEED REALLY. THE CONSTITUTION. I THINK  
11 MANY OF THEM ARE IN VIOLATION OF THE  
12 CONSTITUTION.

13 BEFORE I GET -- MY TIME IS UP, I AM  
14 SURPRISED THAT NOBODY HERE TODAY HAS EVEN  
15 MENTIONED IN CASUAL CONVERSATION A DOCUMENT  
16 WHICH I RAN ACROSS ON THE INTERNET. ACTUALLY  
17 IT WAS SENT TO ME OVER THE INTERNET. THAT WAS  
18 PUBLISHED IN THE SIERRA TIMES, WHICH I BELIEVE  
19 IS A RENO NEWSPAPER.

20 AND I DON'T HAVE THE ARTICLE WITH  
21 ME, I FORGOT TO GET IT. BUT THE ARTICLE'S  
22 TITLE WAS "THE GREEN LAND GRABBERS."

23 I URGE ALL OF YOU TO LOOK IT UP, DO  
24 A SEARCH ON IT, AND YOU WILL FIND OUT WHAT'S  
25 GOING ON BEHIND THE SCENES. THIS MAN HAS A



1       VERY GOOD UNDERSTANDING.  NOT JUST HERE IN  
2       CALIFORNIA, PUT ALL ACROSS THE NATION.  IT'S  
3       HAPPENING BACK EAST, ALSO.

4               THE ONE OTHER THING I WOULD LIKE TO  
5       MENTION IS THAT BLM IS A PART OF THE  
6       DEPARTMENT OF INTERIOR.

7               THE DEPARTMENT OF INTERIOR CONSISTS  
8       OF A NUMBER OF OTHER SERVICES.  THE PARK  
9       SERVICE, THE FOREST SERVICE.  WHAT ELSE.  THE  
10      U.S. GEOLOGICAL SURVEY.

11              AND WE WERE TALKING ABOUT -- SOME  
12      PEOPLE WERE TALKING ABOUT -- EARLIER TODAY  
13      ABOUT DIFFERENT MAPS THAT WERE NOT UP-TO-DATE.

14              I DON'T KNOW WHATEVER HAPPENED TO  
15      THE U.S. GEOLOGICAL SURVEY, BUT THEY USED TO  
16      PUT OUT GOOD DETAILED MAPS.

17              AND I THINK IF THEY HAD BEEN DOING  
18      THEIR JOB OVER THE YEARS, A LOT OF THESE  
19      QUESTIONS ABOUT WHERE WE COULD GO AND WHAT WAS  
20      IN THERE MAY HAVE BEEN ANSWERED YEARS AGO.

21              ILENE ANDERSON:  MR. MATTHEWS, CAN  
22      YOU WRAP IT UP?

23              DAVID A. MATTHEWS:  OKAY.  ON THE  
24      DEPARTMENT OF INTERIOR I WOULD LIKE TO SEE  
25      THAT MAYBE THIS COUNCIL WOULD RECOMMEND TO THE

1 BUREAU THAT A REORGANIZATION OCCUR WITHIN THE  
2 DEPARTMENT OF INTERIOR.

3 MY FORMER EMPLOYMENT WAS WITH THE  
4 DEPARTMENT OF DEFENSE. WE WENT THROUGH A  
5 REORGANIZATION THERE.

6 THE IMMIGRATION SERVICE HAS JUST  
7 GONE THROUGH A REORGANIZATION. MAYBE IT'S  
8 TIME THE DEPARTMENT OF THE INTERIOR DOES  
9 LIKEWISE.

10 ILENE ANDERSON: THANK YOU.

11 (AUDIENCE APPLAUSE.)

12 THAT'S ALL THE PUBLIC COMMENTS. ANY  
13 CLOSING COUNCIL COMMENTS OR RECOMMENDATIONS?

14 JON MCQUISTON: ONE CLOSING COMMENT,  
15 REGRETFULLY.

16 THE LAST MEETING I FELT BEGAN TO END  
17 ON A BAD NOTE. AND THIS MEETING IS  
18 BEGINNING -- ALMOST BEGAN TO END ON A BAD  
19 NOTE.

20 I DON'T LIKE TO SEE ANYBODY COME UP  
21 AND IMPUGN THE INTEGRITY OF ANYBODY SITTING UP  
22 HERE, WHETHER IT'S ME, WHETHER IT'S MR. SALT,  
23 WHETHER IT'S BOB.

24 REASONABLE PEOPLE CAN LOOK AT THINGS  
25 AND COME UP WITH DIFFERENT CONCLUSIONS.

1       WHETHER DIRECTLY OR THROUGH INNUENDO, LET'S  
2       ATTACK THE ISSUES AND NOT THE PEOPLE.

3               THANK YOU.

4               (AUDIENCE APPLAUSE.)

5               ILENE ANDERSON:  ANY OTHER CLOSING  
6       COMMENTS?

7               BILL BETTERLY:  MOVE THE MEETING BE  
8       ADJOURNED.

9               ILENE ANDERSON:  NO, WE HAVE A  
10      COUPLE OF OTHER THINGS.

11              THE NEXT MEETING DATE, MARCH 8TH AND  
12      9TH, 2002; VICTORVILLE, CALIFORNIA.  THE MAIN  
13      AGENDA TOPIC IS GOING TO BE THE WEST MOHAVE  
14      PLAN.

15              RON KEMPER:  MARCH 8TH AND 9TH; IS  
16      THAT WHAT YOU SAID?

17              ILENE ANDERSON:  MARCH 8TH AND 9TH,  
18      VICTORVILLE.

19              TIM SALT:  IF YOU RECALL, THOSE WERE  
20      THE DATES WE SELECTED AT THE LAST MEETING.  WE  
21      ALSO ACKNOWLEDGED THAT WE DO NOT HAVE A FULL  
22      COMPLIMENT OF COUNCIL AT THAT TIME.

23              AFTER REVIEWING THE CHARTER, WE CAN  
24      MEET WITHOUT A FULL COMPLIMENT OF COUNCIL.  
25      BUT YOU NEED TO RECOGNIZE THAT SOME WON'T BE

1 REPRESENTED.

2 THE ONLY REQUIREMENT IS WE HAVE 51  
3 PERCENT IN THE COUNCIL IF WE WANT TO TAKE  
4 ACTION. AND AN ELECTED OFFICIAL  
5 REPRESENTATIVE BE ONE OF THOSE PEOPLE PRESENT.

6 SO I GUESS THE QUESTION IS, IS THE  
7 COUNCIL OKAY WITH GOING AHEAD AND MEETING  
8 WITHOUT A FULL COMPLIMENT IF WE DON'T HAVE THE  
9 NEW MEMBERS APPOINTED BY THAT TIME.

10 RON KEMPER: YES.

11 TIM SALT: AND THEN THE OTHER THING  
12 THAT I --

13 BILL BETTERLY: WE CAN GO FORWARD  
14 WITHOUT NEW ONES?

15 TIM SALT: AS LONG AS THERE IS 51  
16 PERCENT.

17 ILENE ANDERSON: I AM NOT SURE THAT  
18 I DO FEEL COMFORTABLE. I THINK THAT ALL OF  
19 THE --

20 BILL BETTERLY: WE YOU MIGHT NOT  
21 HAVE ANYTHING TO DO.

22 TIM SALT: THAT'S RIGHT. THE THING  
23 THAT CONCERNS ME IS THAT CURRENTLY THERE ARE  
24 STILL A VERY LIMITED NUMBER OF PEOPLE -- OF  
25 POLITICAL APPOINTEES IN THE DEPARTMENT OF

1 INTERIOR.

2 AND ANYTHING THAT REQUIRES ANY  
3 POLITICAL ATTENTION GOES VERY, VERY SLOWLY.  
4 IT TAKES MONTHS TO GET APPROVAL TO ISSUE THE  
5 FEDERAL REGISTRAR TO CALL FOR AN ADVISORY  
6 COUNCIL MEETING. AND THAT'S ROUTINE STUFF  
7 THAT --

8 NORMALLY YOU DON'T HAVE TO GO  
9 THROUGH WASHINGTON TO MAKE THOSE PLANS. BUT  
10 SOMETHING SUCH AS AN ADVISORY COUNCIL PACKAGE  
11 MAY TAKE MONTHS. OR IT MAY TURN AROUND  
12 QUICKLY.

13 THEY ARE STARTING TO FILL POSITIONS.  
14 WE ARE ANTICIPATING OUR DIRECTOR WILL BE ON  
15 BEFORE THE END OF THE CALENDAR YEAR.

16 BUT JUDGING BY WHAT'S HAPPENED IN  
17 THE PAST YEARS, I WOULD SUSPECT THAT IT WILL  
18 TAKE SEVERAL MONTHS.

19 DENNIS CASEBIER: HOW MANY COME IN?

20 TIM SALT: THERE WILL BE FOUR VACANT  
21 COUNCIL POSITIONS.

22 (OFF RECORD FOR PAPER CHANGE.)

23 TIM SALT: THE TWO POSITIONS THAT  
24 ARE BEING VACATED BECAUSE OF THE TERM LIMIT  
25 ARE ISABELLA'S RECREATION POSITION AND JIM'S

1 NONRENEWABLE POSITION.

2 THE OTHER RECREATION POSITION IS  
3 ALSO UP. AND ROY HAS BEEN NOMINATED FOR  
4 REAPPOINTMENT. THERE ARE OTHER NOMINEES AND  
5 THE SECRETARY'S NOT YET MADE A DETERMINATION  
6 ON THAT.

7 AND BILL'S POSITION IS UP FOR  
8 REAPPOINTMENT. AND THE SAME CASE. THERE HAVE  
9 BEEN OTHER NOMINEES FOR THAT POSITION.

10 RON KEMPER: A QUESTION, IF I MAY.

11 IN THAT THERE IS NOT A REAPPOINTEE  
12 FOR THAT POSITION, WOULD THEY BE ALLOWED TO  
13 SIT IN THOSE SEATS UNTIL THERE WAS?

14 TIM SALT: THE WAY THE CHARTER READS  
15 IS YOUR APPOINTMENT ENDS ON DECEMBER 31ST OF  
16 THE YEAR YOUR APPOINTMENT ENDS. SO IT  
17 SPECIFIES THAT THEIR MEMBERSHIP TERMINATES  
18 WITH THAT.

19 SO I GUESS -- I THINK IT'S A POINT  
20 THAT A MEMBER OF THE COUNCIL IS CERTAINLY  
21 WELCOME TO SIT IN MY MIND, BUT THEY WOULD NOT  
22 BE ELIGIBLE TO VOTE.

23 RON KEMPER: FOR THE PURPOSES OF AT  
24 LEAST CONTINUITY, KEEPING ABREAST OF THE  
25 ISSUES, BECAUSE I WOULD SUSPECT THAT THEY

1        WOULD BOTH SERVE BOTH WHO WOULD BE APPOINTED,  
2        I WOULD SUGGEST THAT THEY ATTEND THOSE  
3        MEETINGS EVEN IF THEY CAN'T VOTE.

4                ILENE ANDERSON:  I WOULD STILL LIKE  
5        TO SEE THE FULL COMPLIMENT OF THE COUNCIL  
6        PEOPLE AT THE MEETING.

7                BOB ELLIS:  IS THE WEMO TOPIC STILL  
8        A PERTINENT TOPIC FOR THAT PERIOD OR SHOULD  
9        THAT BE DELAYED SLIGHTLY?

10               TIM SALT:  THE NEMO TOPIC IS STILL A  
11        PERTINENT TOPIC FOR THE NEXT MEETING.  THE  
12        NEMO TEAM HAS ASKED IF WE COULD -- IF THEY  
13        COULD HAVE ANOTHER COUPLE OF WEEKS.  IF THAT'S  
14        NOT ACCEPTABLE WITH COUNCIL THEY WILL WORK TO  
15        HAVE SOMETHING READY THERE.

16               THE WAY THAT PROCESS IS GOING, THEY  
17        ARE LOOKING AT SOMETHING THAT MAY TAKE A FEW  
18        WEEKS LATER THAN THAT.

19               I GUESS WHAT I WOULD PROPOSE IS THAT  
20        WE SELECT AN ALTERNATIVE DATE.  AND SINCE EVEN  
21        THE MARCH DATE IS STILL A WAYS OFF THAT WE  
22        SELECT AN ALTERNATIVE DATE THAT IS TWO OR  
23        THREE WEEKS LATER AND AS WE MOVE CLOSER TO  
24        THAT TIME, WE WILL EVENTUALLY KNOW MORE ABOUT  
25        THE REAPPOINTMENTS, WE FINALIZE THAT DATE.

1                   RON KEMPER:  YOU KNOW, I THINK IN  
2                   THE ORIGINAL DISCUSSION A LOT OF US THOUGHT  
3                   MARCH WAS TOO FAR OFF TO START WITH, YOU KNOW.  
4                   MAYBE WE LOOK AT A MIDDLE OF JANUARY DATE AND  
5                   SET UP AN END OF MARCH OR A FIRST PART OF  
6                   APRIL DATE.

7                   TIM SALT:  I GUESS THE QUESTION I  
8                   WOULD HAVE IS WHAT DID YOU WANT TO TALK ABOUT  
9                   IN SIX WEEKS?

10                  RON KEMPER:  I'VE GOT LOTS TO TALK  
11                  ABOUT.  MY GIRL FRIEND.

12                  WALLY LEIMGRUBER:  I WOULD JUST LIKE  
13                  TO SEE THE MARCH DATES CONTINUE.  I WOULD  
14                  SURELY WELCOME THE EXISTING BOARD MEMBERS TO  
15                  COME.  DUE TO THE NATURE OF THE CHARTER, I  
16                  GUESS WE ARE GOING TO HAVE TO FOLLOW WHAT THE  
17                  CHARTER SAYS WE ARE MANDATED TO DO.

18                  AND WITH THE DEPARTMENT OF INTERIOR  
19                  I WILL SURE BE GIVING THEM SOME CALLS BACK IN  
20                  WASHINGTON TO GET THESE APPOINTMENTS DONE.

21                  BOB ELLIS:  I AM DEFINITELY IN FAVOR  
22                  OF THE MARCH DATES.  IT SEEMS LIKE MY LIFE  
23                  GETS ORGANIZED THREE OR FOUR MONTHS IN  
24                  ADVANCE.  AND THE MOST IMPORTANT THING FOR ME  
25                  IS TO GET THE MEETING AFTER THAT SCHEDULED AND



1 HOPE WE CAN STICK TO THE MARCH ONE.

2 ROY DENNER: MADAM CHAIR, ONE OF THE  
3 PEOPLE QUESTIONED ME HERE ABOUT CONTINUING  
4 WITH NO AUTHORITY, I GUESS IS WHAT IT AMOUNTS  
5 TO.

6 YOU KNOW, I WELCOME THE OPPORTUNITY  
7 TO PROVIDE MY INPUT. I WILL PROBABLY BE  
8 HERE -- UNDOUBTEDLY BE HERE IN THE AUDIENCE,  
9 WHETHER I AM SITTING AT THIS TABLE OR NOT,  
10 PROVIDING WHATEVER CONTINUITY I CAN.

11 BUT I GUESS I WOULD HAVE TO ASK FOR  
12 SOME KIND OF DIRECTION FROM THE COUNCIL AT  
13 THIS POINT AS TO JUST WHAT THE ROLE OF A  
14 PERSON SITTING UP HERE AT A COUNCIL TABLE  
15 ALONG WITH THE VOTING MEMBERS, JUST WHAT ROLE  
16 THAT PERSON WOULD HAVE.

17 RELATIVE TO DISCUSSIONS, WOULD HE  
18 HAVE THE SAME ROLE AS ALL OF THE BONA FIDE  
19 COUNCIL MEMBERS? COULD THEY MAKE MOTIONS  
20 WITHOUT BEING ABLE TO VOTE? YOU KNOW, JUST  
21 EXACTLY WHAT WOULD BE EXPECTED OF THAT PERSON?

22 RON KEMPER: WHEN I MENTIONED IT, IT  
23 WASN'T VERY WELL THOUGHT OUT. WHICH HAPPENS  
24 OFTEN LATE IN THE DAY.

25 BUT I THINK THE CONTINUITY IS THAT

1       YOU ARE HERE, YOU UNDERSTAND THE CHAIN OF  
2       EVENTS YOU'VE KEPT CURRENT ON FOR YOUR  
3       CONSTITUENTS.

4               I WOULDN'T HAVE A PROBLEM WITH YOU  
5       ADDING INFORMATION OR ASKING A QUESTION. BUT  
6       YOU COULDN'T MAKE A MOTION OR YOU COULDN'T  
7       VOTE.

8               ROY DENNER: OKAY. SO THE SIMPLEST  
9       QUESTION I COULD ASK, WOULD I BE SITTING HERE  
10      AS A CONSULTING MEMBER OF THE PUBLIC OR AS A  
11      CONTINUING DAC MEMBER, WITH THE DIFFERENCE  
12      BEING IN THE VARIOUS DISCUSSION AREAS, WOULD I  
13      BE LIMITED OR SHOULDN'T I BE LIMITED TO TWO  
14      MINUTES JUST LIKE, YOU KNOW, THE PEOPLE IN THE  
15      AUDIENCE?

16              BECAUSE IF THAT'S THE CASE, I  
17      WOULDN'T BE VERY EFFECTIVE SITTING HERE WITH  
18      YOU FOLKS. I MIGHT AS WELL BE IN THE  
19      AUDIENCE.

20              JON MCQUISTON: ROY, YOU HAVE NEVER  
21      BEEN HELD TO TWO MINUTES TO ANY SUBJECT.

22              ROY DENNER: I DO HAVE TO ADDRESS  
23      THAT QUESTION. I CAN SEE THAT OTHER MEMBERS  
24      OF THE PUBLIC WOULD SAY IT'S NOT FAIR.  
25      BECAUSE ONCE MY TERM EXPIRES I AM REALLY ONLY

1 A MEMBER OF THE PUBLIC. SO WHY SHOULD I GET  
2 15 MINUTES TO TALK ABOUT AN ISSUE IF THEY  
3 DON'T. I CAN SEE THOSE ISSUES ARISING.

4 SO I JUST THOUGHT THIS WAS THE TIME  
5 TO TALK ABOUT IT BEFORE I GET MYSELF CAUGHT IN  
6 THE MIDDLE OF IT WHEN I AM DOING SOMETHING  
7 THAT I REALLY SHOULDN'T BE DOING.

8 JON MCQUISTON: JUST FOR THE SAKE OF  
9 DISCUSSION, I THINK WE OUGHT TO HAVE THE  
10 MEETING ON THE DATE WITH THE MEMBERS PRESENT  
11 THAT WE HAVE, AS LONG AS WE HAVE THE CRITERIA  
12 OF THE 51 PERCENT AND ONE ELECTED OFFICIAL.

13 I THINK THAT THERE IS A MATTER  
14 THERE, WE DON'T FEEL COMFORTABLE THAT WE ARE  
15 GETTING ADEQUATE PARTICIPATION BECAUSE THERE  
16 IS NOT FOLKS THAT CAN CERTAINLY MAKE  
17 RECOMMENDATIONS. THAT WE CAN CONTINUED IN THE  
18 MEAN TIME.

19 I, TOO, WALLY, WILL GET IN TOUCH  
20 WITH OUR FOLKS AND SEE IF WE CAN OFFER SOME  
21 ASSISTANCE IN TRYING TO GET SOME OF THESE  
22 APPOINTMENTS DONE THAT WE ARE TALKING ABOUT.

23 ILENE ANDERSON: WHAT ABOUT THE  
24 ISSUE THAT THE WEST MOHAVE PLAN PEOPLE MAY NOT  
25 BE READY FOR US ON THAT WEEKEND? DO WE PUSH

1 IT BACK TWO WEEKENDS?

2 JON MCQUISTON: YOU HAVE TO TALK TO  
3 TIM ON THAT.

4 ILENE ANDERSON: I WOULD CERTAINLY  
5 LIKE TO HAVE A BETTER COMPREHENSION OF THE  
6 PRESENTATION ON THE WEST MOHAVE PLAN. AND IF  
7 THEY ARE NOT GOING TO BE READY I WOULD RATHER  
8 DEPART FOR TWO WEEKS.

9 RON KEMPER: MY PERSONAL EXPERIENCE  
10 IS THAT IF YOU SET A DEADLINE, PEOPLE WILL TRY  
11 TO LIVE UP TO IT. IF YOU KEEP EXTENDING IT,  
12 THEY ARE PROBABLY GOING TO WAIT UNTIL THAT  
13 LAST TWO WEEKS TO REORGANIZE THEIR TIME,  
14 ANYWAY. I COULD BE WRONG.

15 TIM SALT: THE WEST MOHAVE SITUATION  
16 IS A LITTLE BIT DIFFERENT BECAUSE IT'S A KIND  
17 OF MEETING DEVELOPED IN COOPERATION WITH 28  
18 OTHER AGENCIES, INCLUDING KERN COUNTY, SAN  
19 BERNARDINO COUNTY AND ALL THE CITIES.

20 IT ISN'T JUST A MATTER OF ASKING THE  
21 STAFF TO WORK A LITTLE HARDER. IT'S, YOU  
22 KNOW, AN ISSUE OF THEY HAVE CERTAIN THINGS  
23 WITH TASK WORKS. THESE OTHER ENTITIES ALL LAY  
24 OUT CERTAIN TIME LINES. AND YOU MIGHT WANT TO  
25 CHECK WITH YOUR STAFF.

1                   RON KEMPER:  MY STAFF IS NOT HERE.

2                   JULIE ALLEN:  YOU GUYS ARE TALKING  
3    ABOUT HAVING A MEETING WITH NO RECREATION  
4    REPRESENTATION.  IT SOUNDS LIKE BOTH THE  
5    RECREATION PROVISIONS MAY BE OPEN AND EMPTY.  
6    AND I THINK THAT'S REALLY BAD P.R. FOR THE  
7    PUBLIC, SINCE WE ARE MOSTLY WHO ATTENDS.

8                   RON KEMPER:  IF I CAN RESPOND.

9                   WE EXPECT TO HAVE THE APPOINTMENTS  
10   DONE BY THEN.  WE WOULD EXPECT THE  
11   APPOINTMENTS TO BE THE SAME.

12                  YOU KNOW, YOU ARE NOW LOOKING AT  
13   MARCH.  YOU ARE LOOKING AT A THIRD OF THE YEAR  
14   GONE BEFORE WE HAVE HAD OUR FIRST MEETING.

15                  YOU KNOW, WE CAN HOLD OFF FOR  
16   ANOTHER MONTH -- WHETHER IT TAKES SIX MONTHS,  
17   YOU KNOW, FOR APPOINTMENTS --

18                  JULIE ALLEN:  I WANT TO BE  
19   REPRESENTED, PLEASE.

20                  ILENE ANDERSON:  I WOULD SUGGEST  
21   THAT WE PERHAPS HAVE AN ALTERNATIVE DATE IN  
22   MARCH TWO WEEKENDS AFTER THAT.

23                  RON KEMPER:  BASED ON  
24   NONAPPOINTMENTS?

25                  ILENE ANDERSON:  BASED ON

1       NONAPPOINTMENTS.

2               RON KEMPER:   HOW LONG A TIME?

3               ILENE ANDERSON:   TWO WEEKS.   THAT  
4       WILL ALLOW THE WEST MOHAVE PLAN TO HAVE THE  
5       OPPORTUNITY AND ALLOW FOR US TO MAKE SURE THAT  
6       WE HAVE A FULL COMPLIMENT.   THAT'S SOMETHING I  
7       FEEL VERY STRONGLY ABOUT.

8               RON KEMPER:   ACTUALLY I THINK THEY  
9       ARE TWO SEPARATE ISSUES, THOUGH, ILENE.   I  
10      BELIEVE --

11              ILENE ANDERSON:   THEY CAN BE  
12      ADDRESSED AS ONE.   SORRY TO TALK OVER YOU.

13              RON KEMPER:   I AM SORRY?

14              ILENE ANDERSON:   THEY CAN BE  
15      ADDRESSED AS A SINGLE ISSUE.

16              RON KEMPER:   WELL, I THINK IF WE SAY  
17      WE NEED MORE TIME FOR THE WEST MOHAVE TEAM TO  
18      GET IT TOGETHER, THAT'S FINE.

19              BUT IF WE GET TO THE MARCH DATE AND  
20      THERE IS STILL NOT AN APPOINTMENT, IT COULD BE  
21      FOUR MONTHS, IT COULD BE SIX MONTHS.   ANOTHER  
22      TWO WEEKS -- DO WE SAY WE DON'T HAVE A MEETING  
23      UNTIL THOSE APPOINTMENTS ARE MADE?

24              ILENE ANDERSON:   THAT WOULD BE MY  
25      PREFERENCE.   THAT'S HOW IT'S BEEN IN THE PAST.

1        THAT'S WHY WE DIDN'T HAVE OUR FIRST MEETING  
2        THIS YEAR UNTIL APRIL.

3                BILL BETTERLY:    COULDN'T YOU  
4        CONTINUE WITH YOUR SCHEDULE OF MARCH 8TH AND  
5        9TH AND TWO WEEKS BEFORE THAT SET ANOTHER  
6        DATE?

7                ILENE ANDERSON:   WE CAN CERTAINLY  
8        TRY.   PEOPLE'S CALENDARS GET FILLED UP IS THE  
9        ISSUE.

10               BILL BETTERLY:   WHAT I AM THINKING  
11        IS THAT, JON, YOU AND WALLY TALK TO YOUR  
12        WASHINGTON CORRESPONDENT THAT MIGHT GIVE AN  
13        INPUT TO SPEED THAT PROCESS UP.   YOU ARE NOT  
14        LOSING    --

15               JON MCQUISTON:   WELL, WE ARE  
16        CERTAINLY WILLING TO DO THAT.   AND I WOULD  
17        LIKE TO GO HOME.   TO ME THIS IS NOT AS  
18        DIFFICULT AS WE ARE MAKING IT.

19               I THINK YOUR REQUEST, ILENE, IS  
20        REASONABLE.   LET'S KEEP THE DATES AS SET,  
21        RECOGNIZING WE MAY NEED SOME SLIPPAGE FOR THE  
22        PLANS, WE MAY NEED SOME SLIPPAGE -- A COUPLE  
23        OF WEEKS FOR APPOINTMENTS.

24               SO LET'S SET THE DATES AS THEY  
25        EXIST.   AND TWO OR THREE WEEKS BEFORE LET'S

1 HAVE A PLAN "B" SO WE DON'T HAVE TO START ALL  
2 OVER AGAIN.

3 AND GRANTED, IF IT DOESN'T WORK OUT,  
4 THEN WE WILL HAVE IT TWO WEEKS, THREE WEEKS  
5 LATER. IN THE BIG SCHEME OF THINGS ON LIFE'S  
6 RADAR SCOPE THIS DOESN'T EVEN SHOW UP AS A  
7 BLIP.

8 RON KEMPER: DO YOU NEED A MOTION  
9 FOR THAT?

10 ILENE ANDERSON: I THOUGHT WE WERE  
11 HOLDING TO IT.

12 RON KEMPER: OKAY.

13 ILENE ANDERSON: MARCH 8TH AND 9TH,  
14 UNTIL FURTHER NOTICE.

15 YES, TIM NEEDS -- MR. SALT NEEDS TO  
16 DO HIS MEETING SUMMARY AND THEN WE WILL  
17 ADJOURN.

18 BOB ELLIS: CAN'T WE SET ANOTHER --  
19 SO IT'S REALLY CRAZY THEN TO SET A DATE BEYOND  
20 THAT, LIKE A JUNE DATE OR -- FOR THE SECOND  
21 MEETING, IF WE FIGURE IT MIGHT SLIP TOO FAR?

22 I MEAN, I REALLY -- IT CERTAINLY  
23 HELPS ME TO KNOW TWO MEETINGS IN ADVANCE WHEN  
24 WE ARE HAVING IT. SO I DON'T KNOW IF OTHER  
25 PEOPLE ARE WORRIED ABOUT THIS.



1                   RON KEMPER:  I WOULD AGREE WITH BOB  
2           ON THAT.  I DON'T SEE ANY REASON WHY WE CAN'T  
3           SET THE CALENDAR FOR THE WHOLE YEAR.

4                   BUT IT IS PRETTY LATE IN THE DAY.  
5           MAYBE WE CAN POLL EVERYBODY BY E-MAIL AND COME  
6           UP WITH A DATE OR SOMETHING.

7                   ILENE ANDERSON:  WE WILL DO SOME  
8           POLLS FOR SUBSEQUENT DATES.  I WILL TAKE THAT  
9           ON AS --

10                  RON KEMPER:  AND I WOULD TRY TO SET  
11          THE CALENDAR FOR THE YEAR, IF POSSIBLE.  AND  
12          THAT WAY EVERYBODY CAN PUT IT ON THEIR  
13          CALENDAR.

14                  ILENE ANDERSON:  NOT TO BEAT A DEAD  
15          HORSE, BUT MY ONLY CONCERN IS WITH THE NEW  
16          REPRESENTATIVES THAT WILL JUST BE APPOINTED,  
17          WHAT THEIR CONSTRAINTS ARE.

18                  IF WE SET THEM NOW IT MAY NOT  
19          REFLECT THE WHOLE COUNCIL'S --

20                  RON KEMPER:  THAT'S TRUE.  HOPEFULLY  
21          THEY WILL BE FRESH.

22                  TIM SALT:  TO SUMMARIZE THE ACTIONS  
23          OF TODAY'S MEETING THERE WERE EIGHT  
24          RESOLUTIONS.

25                  THE FIRST WAS A RESOLUTION REQUIRING

1        THAT ALL USES AFFECTED BY THE DECISIONS IN THE  
2        DUNES RAMP BE MITIGATED.

3                THE SECOND WAS THE RESOLUTION  
4        SUPPORTING THE EFFORTS TO INCREASE THE LAW  
5        ENFORCEMENT PRESENCE AT THE DUNES.

6                THE THIRD WAS TO -- RELATIVE TO  
7        LIVESTOCK GRAZING.  KEEP THE PRESENT LEVELS OF  
8        LIVESTOCK GRAZING, CONDUCT STUDIES AND TO --

9                RON KEMPER:  CORRECTION.  I THINK  
10       THE MOTION WAS TO KEEP THE RANCHES AS THEY ARE  
11       TODAY.  IN OTHER WORDS, THEY HAVE THE SAME  
12       AUM'S, THEY HAVE THE SAME ACREAGE.  THEY STAY  
13       INTACT.  THE SAME RULES APPLY.

14               TIM SALT:  I WASN'T ATTEMPTING TO  
15       TOTALLY RECAPTURE THE WORDS OF THE RESOLUTION,  
16       BUT ONLY TO HIGHLIGHT WHAT THE RESOLUTION WAS.

17               THE NEXT ONE IS A RESOLUTION  
18       SUPPORTING THE FREEMAN PROPOSAL.  I DON'T NEED  
19       TO GO INTO WHAT THE PROPOSAL WAS, JUST THAT WE  
20       SUPPORT THE FREEMAN PROPOSAL.

21               THE OTHER WAS TO SUPPORT THE GUZZLER  
22       PROPOSAL IN THE PREFERRED SECTION OF THE NEMO  
23       AND NECO PLAN WHICH WAS SOMEWHAT TRUMPED BY  
24       THE NEXT RESOLUTION WHICH SAYS TO HOLD UP THE  
25       IMPLEMENTATION OF THE NEMO AND NECO PLAN.

1           THE NEXT RESOLUTION WAS TO -- AT THE  
2           POINT IN TIME WHEN NECO GOES FORWARD TO  
3           WITHDRAW THE FIVE -- THE PROPOSAL TO CLOSE THE  
4           FIVE OPEN AREAS.

5           AND THE LAST WAS TO REQUIRE  
6           MITIGATION ON EFFECTS ON ALL USES AFFECTED BY  
7           DECISIONS IN THE NEMO, NECO PLAN.

8           THE OTHER TWO ACTIONS THAT WEREN'T  
9           RESOLUTIONS WERE THAT WE WERE GOING TO ADHERE  
10          TO THE MARCH MEETING SCHEDULE IN VICTORVILLE  
11          WITH THE PRIMARY TOPIC BEING WEST MOHAVE, AND  
12          THAT ILENE WOULD POLL COUNCIL MEMBERS TO TRY  
13          TO DEVELOP A SCHEDULE FOR THE REST OF THE  
14          CALENDAR YEAR.

15          ILENE ANDERSON: IN CLOSING I WOULD  
16          LIKE TO THANK THE THEATER MANAGER RON AND ALL  
17          OF HIS CREW FOR BEING SO PATIENT WITH US  
18          TODAY, MAKING IT GO AS SMOOTHLY IT DID. WE  
19          REALLY APPRECIATE IT.

20          AND WITH THAT --

21          BILL BETTERLY: THANK OUR COURT  
22          REPORTER.

23          ILENE ANDERSON: YES. YOU  
24          DEFINITELY DESERVE A PURPLE HEART.

25          THANK YOU VERY MUCH.

1                   AND WITH THAT I ADJOURN THE MEETING.

2                   (WHEREUPON, AT 7:10 O'CLOCK P.M.,  
3           THE PROCEEDING WAS CONCLUDED.)

4                   (THE FOLLOWING IS A LETTER SUBMITTED  
5           BY ERIC YOUNG.)

6           12-8-2001

7           TO:   BLM DAC

8           FROM:  ERIC YOUNG

9                   200 DELGADO ROAD

10                  SAN CLEMENT, CALIFORNIA  92672

11           RE:   IMPERIAL SAND DUNES

12                  AND DESERT PLAN AT LARGE.

13                  PLEASE KNOW THAT AS YOU CONSIDER  
14           LONG TERM PLANS FOR RECREATION IN OUR DESERT,  
15           THAT WE WHO VISIT THESE INSPIRING PLACES  
16           APPRECIATE IT FOR THE ENVIRONMENTAL UNIQUENESS  
17           AS WELL AS A RETREAT FROM THE "RAT RACE" OF  
18           HIGHLY POPULATED AREAS.

19                  HOW CAN BLANKET CLOSURES SERVE AS A  
20           MEANS TO BRING QUALITY TO OUR LIVES?

21                  I USED TO BE A PAYING MEMBER OF  
22           SIERRA CLUB.  I WAS DETRACTED BY THEIR  
23           TOTALITARIAN ENVIRONMENTAL AGENDA.

24                  I TAKE MY FAMILY CANOING DOWN THE  
25           COLORADO RIVER AS WELL AS TAKE MY FAMILY

                  Atwood, Jennings & Associates  
                  El Centro, California . (760) 352-6488

1 RIDING MOTORIZED VEHICLES IN OUR DESERTS.

2 CLOSURES HAVE GONE FAR ENOUGH! THEY  
3 ARE NOT THE ANSWER. PLEASE USE LOGIC AND REAL  
4 SCIENCE IN YOUR CONSIDERATIONS.

5 THE LEFT WING POLITICS HAVE CREATED  
6 A CHOKING EFFECT ON OUR RIGHTS AND FREEDOMS.

7 THESE WIDE OPEN SPACES ARE VITAL TO  
8 MY FAMILY'S AND FRIENDS' SANITY. CLOSING ANY  
9 AREA BECAUSE IT IS NOT USED ENOUGH IS  
10 RIDICULOUS.

11 I HAVE ALWAYS TAUGHT MY SON GOOD  
12 STEWARDSHIP AND RESPONSIBILITY IN OUR TRIPS TO  
13 THE DESERT. LET MY GRANDCHILDREN HAVE THE  
14 SAME OPPORTUNITIES.

15 THE ISDRA IS IDEALLY SUITED FOR  
16 OFF-ROAD RECREATION.

17 PRIORITY SHOULD BE GIVEN TO OPENING  
18 THE UNLAWFULLY CLOSED AREAS TO REDUCE RISK TO  
19 INDIVIDUALS BY CONCENTRATING THEM INTO EVEN  
20 SMALLER RIDING AREAS.

21 THE MILKVETCH AND ESA IS A TOOL FOR  
22 ENVIRONMENTAL TOTALITARIANISM. IT IS APPARENT  
23 THAT THERE ARE SMART PEOPLE CAUGHT UP IN MICRO  
24 MANAGEMENT. THAT IS EASIER THAN DEALING WITH  
25 THE TRUE THREATS AT HAND.

1 I THINK THE RECENT EVENTS IN THE  
2 WORLD SHOULD MAKE IT APPARENT THAT WE NEED TO  
3 LOOK AT WHAT IS REALLY THREATENED. FREEDOM!

4 YOURS TRULY,  
5 ERIC YOUNG.

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Atwood, Jennings & Associates  
El Centro, California . (760) 352-6488

1       STATE OF CALIFORNIA     )  
  )   SS.  
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I, JANIE JENNINGS, CERTIFIED  
SHORTHAND REPORTER, HOLDING C.S.R. LICENSE  
NUMBER 4534, WITHIN AND FOR THE STATE OF  
CALIFORNIA, DO CERTIFY:

THAT THE PROCEEDINGS WERE TAKEN  
DOWN BY ME IN STENOTYPE AT THE TIME AND PLACE  
HEREIN STATED AND WAS THEREAFTER REDUCED TO  
TYPEWRITING UNDER MY DIRECTION AND  
SUPERVISION, AND THE FOREGOING TRANSCRIPT,  
PAGES 1 THROUGH 470, INCLUSIVE, IS A FULL  
TRANSCRIPTION OF MY SAID STENOTYPE NOTES TO  
THE BEST OF MY ABILITY.

WITNESS MY SIGNATURE THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_, 2001.

\_\_\_\_\_